



ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರ

ಅಧಿಕೃತವಾಗಿ ಪ್ರಕಟಿಸಲಾದುದು

ಸಂಪುಟ - ೧೫೭ Volume - 157	ಬೆಂಗಳೂರು, ಬುಧವಾರ, ೧೧, ಮೇ, ೨೦೨೨ (ವೈಶಾಖ, ೨೧, ಶಕವರ್ಷ, ೧೯೪೪) BENGALURU, WEDNESDAY, 11, MAY, 2022 (VAISHAKHA, 21, SHAKAVARSHA, 1944)	ಸಂಚಿಕೆ ೯೦ Issue 90
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ಭಾಗ ೪

ಕೇಂದ್ರದ ವಿಧೇಯಕಗಳು ಮತ್ತು ಅವುಗಳ ಮೇಲೆ ಪರಿಶೀಲನಾ ಸಮಿತಿಯ ವರದಿಗಳು,
ಕೇಂದ್ರದ ಅಧಿನಿಯಮಗಳು ಮತ್ತು ಅಧ್ಯಾದೇಶಗಳು, ಕೇಂದ್ರ ಸರ್ಕಾರದವರು ಹೊರಡಿಸಿದ
ಸಾಮಾನ್ಯ ಶಾಸನಬದ್ಧ ನಿಯಮಗಳು ಮತ್ತು ಶಾಸನಬದ್ಧ ಆದೇಶಗಳು ಮತ್ತು
ರಾಷ್ಟ್ರಪತಿಯವರಿಂದ ರಚಿತವಾಗಿ ರಾಜ್ಯ ಸರ್ಕಾರದವರಿಂದ
ಪುನಃ ಪ್ರಕಟವಾದ ಆದೇಶಗಳು

ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಇಲಾಖೆ
ಅಧಿಸೂಚನೆ

ಸಂಖ್ಯೆ: ಸಂವ್ಯಾಸಾಇ ೦೪ ಕೇನಿಪು ೨೦೨೨

ಬೆಂಗಳೂರು, ದಿನಾಂಕ: ೦೬.೦೫.೨೦೨೨.

ದಿನಾಂಕ: ೩೧.೦೩.೨೦೨೨ ರಂದು ಭಾರತ ಸರ್ಕಾರದ ಗೆಜೆಟ್‌ನ ವಿಶೇಷ ಸಂಚಿಕೆಯ Part-II-
Section-3 Sub Section (ii)ರಲ್ಲಿ ಪ್ರಕಟವಾದ the Government of India (Allocation of Business)
(Three Hundred and sixty-ninth Amendment) Rules, 2022ರ NOTIFICATION S.O.1550(E)
ಅನ್ನು ಸಾರ್ವಜನಿಕರ ಮಾಹಿತಿಗಾಗಿ ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರದಲ್ಲಿ ಮರು ಪ್ರಕಟಿಸಲಾಗಿದೆ,-

CABINET SECRETARIAT**NOTIFICATION**

New Delhi, the 31st March, 2022

S.O. 1550(E).—In exercise of the powers conferred by clause (3) of article 77 of the Constitution, the President hereby makes the following rules further to amend the Government of India (Allocation of Business) Rules, 1961, namely:-

1. (1) These rules may be called the Government of India (Allocation of Business) (Three Hundred and sixty-ninth Amendment) Rules, 2022.
(2) They shall come into force at once.
2. In the Government of India (Allocation of Business) Rules, 1961, in THE SECOND SCHEDULE, under the heading “MINISTRY OF HOME AFFAIRS (GRIH MANTRALAYA)”, under the sub-heading “D. DEPARTMENT OF HOME (GRIH VIBHAG)”, in entry 9, the words “(except Jammu and Kashmir)” shall be omitted.

Ram Nath Kovind

President

[F. No. 1/21/15/2019-Cab.]

ASHUTOSH JINDAL, Addl. Secy.

ಕರ್ನಾಟಕ ರಾಜ್ಯಪಾಲರ ಆದೇಶಾನುಸಾರ
ಮತ್ತು ಅವರ ಹೆಸರಿನಲ್ಲಿ

(ಆರ್. ಶ್ರೀನಿವಾಸ)

ಸಹಾಯಕ ಪ್ರಾರೋಪಕಾರ ಮತ್ತು ಪದನಿಮಿತ್ತ
ಸರ್ಕಾರದ ಉಪ ಕಾರ್ಯದರ್ಶಿ
ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು
ಶಾಸನ ರಚನೆ ಇಲಾಖೆ

PR-42

**ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಇಲಾಖೆ
ಅಧಿಸೂಚನೆ**

ಸಂಖ್ಯೆ: ಸಂವ್ಯಶಾಇ 08 ಕೇಶಾಪ್ರ 2022 ಬೆಂಗಳೂರು, ದಿನಾಂಕ: 06.05.2022.

ದಿನಾಂಕ: 30.03.2022 ರಂದು ಭಾರತ ಸರ್ಕಾರದ ಗೆಜೆಟ್‌ನ ವಿಶೇಷ ಸಂಚಿಕೆಯ Part-II-
Section-1 ರಲ್ಲಿ ಪ್ರಕಟವಾದ THE FINANCE ACT, 2022 (NO.6 OF 2022) ಮತ್ತು ಸದರಿ
ಅಧಿನಿಯಮಕ್ಕೆ ಸಂಬಂಧಿಸಿದ ದಿನಾಂಕ: 26.04.2022 ರ ಭಾರತ ಸರ್ಕಾರದ ರಾಜ್ಯಪತ್ರದಲ್ಲಿ
ಪ್ರಕಟಿಸಲ್ಪಟ್ಟಿರುವ CORRIGENDUM ಅನ್ನು ಸಾರ್ವಜನಿಕರ ಮಾಹಿತಿಗಾಗಿ ಕರ್ನಾಟಕ
ರಾಜ್ಯಪತ್ರದಲ್ಲಿ ಮರು ಪ್ರಕಟಿಸಲಾಗಿದೆ,-



भारत का राजपत्र The Gazette of India

सी.जी.-डी.एल.-अ.-31032022-234693
CG-DL-E-31032022-234693

असाधारण

EXTRAORDINARY

भाग II — खण्ड 1

PART II — Section 1

प्राधिकार से प्रकाशित

PUBLISHED BY AUTHORITY

सं० 6] नई दिल्ली, बुधवार, मार्च 30, 2022/चैत्र 9, 1944 (शक)
No. 6] NEW DELHI, WEDNESDAY, MARCH 30, 2022/CHAITRA 9, 1944 (SAKA)

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।
Separate paging is given to this Part in order that it may be filed as a separate compilation.

MINISTRY OF LAW AND JUSTICE (Legislative Department)

New Delhi, the 30th March, 2022 / Chaitra 9, 1944 (Saka)

The following Act of Parliament received the assent of the President on the 30th March, 2022 and is hereby published for general information:—

THE FINANCE ACT, 2022 No. 6 OF 2022

[30th March, 2022.]

An Act to give effect to the financial proposals of the Central Government for the financial year 2022-2023.

BE it enacted by Parliament in the Seventy-third Year of the Republic of India as follows:—

CHAPTER I

PRELIMINARY

1. (1) This Act may be called the Finance Act, 2022.

Short title and
commencement.

(2) Save as otherwise provided in this Act,—

(a) sections 2 to 85 shall come into force on the 1st day of April, 2022;

(b) sections 100 to 114 shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

CHAPTER II

RATES OF INCOME-TAX

2. (1) Subject to the provisions of sub-sections (2) and (3), for the assessment year commencing on the 1st day of April, 2022, income-tax shall be charged at the rates specified in Part I of the First Schedule and such tax shall be increased by a surcharge, for the purposes of the Union, calculated in each case in the manner provided therein.

Income-tax.

(2) In the cases to which Paragraph A of Part I of the First Schedule applies, where the assessee has, in the previous year, any net agricultural income exceeding five thousand rupees, in addition to total income, and the total income exceeds two lakh fifty thousand rupees, then,—

(a) the net agricultural income shall be taken into account, in the manner provided in clause (b) (that is to say, as if the net agricultural income were comprised in the total income after the first two lakh fifty thousand rupees of the total income but without being liable to tax), only for the purpose of charging income-tax in respect of the total income; and

(b) the income-tax chargeable shall be calculated as follows:—

(i) the total income and the net agricultural income shall be aggregated and the amount of income-tax shall be determined in respect of the aggregate income at the rates specified in the said Paragraph A, as if such aggregate income were the total income;

(ii) the net agricultural income shall be increased by a sum of two lakh fifty thousand rupees, and the amount of income-tax shall be determined in respect of the net agricultural income as so increased at the rates specified in the said Paragraph A, as if the net agricultural income as so increased were the total income;

(iii) the amount of income-tax determined in accordance with sub-clause (i) shall be reduced by the amount of income-tax determined in accordance with sub-clause (ii) and the sum so arrived at shall be the income-tax in respect of the total income:

Provided that in the case of every individual, being a resident in India, who is of the age of sixty years or more but less than eighty years at any time during the previous year, referred to in item (II) of Paragraph A of Part I of the First Schedule, the provisions of this sub-section shall have effect as if for the words "two lakh fifty thousand rupees", the words "three lakh rupees" had been substituted:

Provided further that in the case of every individual, being a resident in India, who is of the age of eighty years or more at any time during the previous year, referred to in item (III) of Paragraph A of Part I of the First Schedule, the provisions of this sub-section shall have effect as if for the words "two lakh fifty thousand rupees", the words "five lakh rupees" had been substituted.

(3) In cases to which the provisions of Chapter XII or Chapter XII-A or section 115JB or section 115JC or Chapter XII-FA or Chapter XII-FB or sub-section (IA) of section 161 or section 164 or section 164A or section 167B of the Income-tax Act, 1961, (hereinafter referred to as the Income-tax Act) apply, the tax chargeable shall be determined as provided in that Chapter or that section, and with reference to the rates imposed by sub-section (I) or the rates as specified in that Chapter or section, as the case may be:

Provided that the amount of income-tax computed in accordance with the provisions of section 111A or section 112 or section 112A of the Income-tax Act shall be increased by a surcharge, for the purposes of the Union, as provided in Paragraph A, B, C, D or E, as the case may be, of Part I of the First Schedule, except in case of a domestic company whose income is chargeable to tax under section 115BAA or section 115BAB of the Income-tax Act or in case of co-operative society whose income is chargeable to tax under section 115BAD of the Income-tax Act:

Provided further that in respect of any income chargeable to tax under section 115A, 115AB, 115AC, 115ACA, 115AD, 115B, 115BA, 115BB, 115BBA, 115BBC, 115BBD, 115BBF, 115BBG, 115E, 115JB or 115JC of the Income-tax Act, the amount of income-tax computed under this sub-section shall be increased by a surcharge, for the purposes of the Union, calculated,—

(a) in the case of every individual or Hindu undivided family or association of persons or body of individuals, whether incorporated or not, or every artificial juridical person referred to in sub-clause (vii) of clause (31) of section 2 of the Income-tax Act, not having any income under section 115AD of the Income-tax Act,—

(i) having a total income exceeding fifty lakh rupees but not exceeding one crore rupees, at the rate of ten per cent. of such income-tax;

(ii) having a total income exceeding one crore rupees, but not exceeding two crore rupees, at the rate of fifteen per cent. of such income-tax;

(iii) having a total income exceeding two crore rupees, but not exceeding five crore rupees, at the rate of twenty-five per cent. of such income-tax; and

(iv) having a total income exceeding five crore rupees, at the rate of thirty-seven per cent. of such income-tax;

(aa) in the case of individual or every association of persons or body of individuals, whether incorporated or not, or every artificial juridical person referred to in sub-clause (vii) of clause (31) of section 2 of the Income-tax Act, having income under section 115AD of the Income-tax Act,—

(i) having a total income exceeding fifty lakh rupees but not exceeding one crore rupees, at the rate of ten per cent. of such income-tax;

(ii) having a total income exceeding one crore rupees, but not exceeding two crore rupees, at the rate of fifteen per cent. of such income-tax;

(iii) having a total income [excluding the income by way of dividend or income of the nature referred to in clause (b) of sub-section (1) of section 115AD of the Income-tax Act] exceeding two crore rupees but not exceeding five crore rupees, at the rate of twenty-five per cent. of such income-tax;

(iv) having a total income [excluding the income by way of dividend or income of the nature referred to in clause (b) of sub-section (1) of section 115AD of the Income-tax Act] exceeding five crore rupees, at the rate of thirty-seven per cent. of such income-tax; and

(v) having a total income [including the income by way of dividend or income of the nature referred to in clause (b) of sub-section (1) of section 115AD of the Income-tax Act] exceeding two crore rupees, but is not covered in sub-clauses (iii) and (iv), at the rate of fifteen per cent. of such income-tax;

Provided that in case where the total income includes any income by way of dividend or income chargeable under clause (b) of sub-section (1) of section 115AD of the Income-tax Act, the rate of surcharge on the income-tax calculated on that part of income shall not exceed fifteen per cent.;

(b) in the case of every co-operative society except a co-operative society whose income is chargeable to tax under section 115BAD of the Income-tax Act or firm or local authority, at the rate of twelve per cent. of such income-tax, where the total income exceeds one crore rupees;

(c) in the case of every domestic company except such domestic company whose income is chargeable to tax under section 115BAA or section 115BAB of the Income-tax Act,—

(i) at the rate of seven per cent. of such income-tax, where the total income exceeds one crore rupees but does not exceed ten crore rupees;

(ii) at the rate of twelve per cent. of such income-tax, where the total income exceeds ten crore rupees;

(d) in the case of every company, other than a domestic company,—

(i) at the rate of two per cent. of such income-tax, where the total income exceeds one crore rupees but does not exceed ten crore rupees;

(ii) at the rate of five per cent. of such income-tax, where the total income exceeds ten crore rupees:

Provided also that in the case of persons mentioned in (a) and (aa) above, having total income chargeable to tax under section 115JC of the Income-tax Act, and such income exceeds,—

(i) fifty lakh rupees but does not exceed one crore rupees, the total amount payable as income-tax and surcharge thereon shall not exceed the total amount payable as income-tax on a total income of fifty lakh rupees by more than the amount of income that exceeds fifty lakh rupees;

(ii) one crore rupees but not exceed two crore rupees, the total amount payable as income-tax and surcharge thereon shall not exceed the total amount payable as income-tax and surcharge on a total income of one crore rupees by more than the amount of income that exceeds one crore rupees;

(iii) two crore rupees but not exceed five crore rupees, the total amount payable as income-tax and surcharge thereon shall not exceed the total amount payable as income-tax and surcharge on a total income of two crore rupees by more than the amount of income that exceeds two crore rupees;

(iv) five crore rupees, the total amount payable as income-tax and surcharge thereon shall not exceed the total amount payable as income-tax and surcharge on a total income of five crore rupees by more than the amount of income that exceeds five crore rupees:

Provided also that in the case of persons mentioned in (b) above, having total income chargeable to tax under section 115JC of the Income-tax Act, and such income exceeds one crore rupees, the total amount payable as income-tax on such income and surcharge thereon shall not exceed the total amount payable as income-tax on a total income of one crore rupees by more than the amount of income that exceeds one crore rupees:

Provided also that in the case of every company having total income chargeable to tax under section 115JB of the Income-tax Act, and such income exceeds one crore rupees but does not exceed ten crore rupees, the total amount payable as income-tax on such income and surcharge thereon, shall not exceed the total amount payable as income-tax on a total income of one crore rupees by more than the amount of income that exceeds one crore rupees:

Provided also that in the case of every company having total income chargeable to tax under section 115JB of the Income-tax Act, and such income exceeds ten crore rupees, the

total amount payable as income-tax on such income and surcharge thereon, shall not exceed the total amount payable as income-tax and surcharge on a total income of ten crore rupees by more than the amount of income that exceeds ten crore rupees:

Provided also that in respect of any income chargeable to tax under clause (i) of sub-section (1) of section 115BBE of the Income-tax Act, the amount of income-tax computed under this sub-section shall be increased by a surcharge, for the purposes of the Union, calculated at the rate of twenty-five per cent. of such income-tax:

Provided also that in case of every domestic company whose income is chargeable to tax under section 115BAA or section 115BAB of the Income-tax Act, the income-tax computed under this sub-section shall be increased by a surcharge, for the purposes of the Union, calculated at the rate of ten per cent. of such income-tax:

Provided also that in case of every individual or Hindu undivided family, whose income is chargeable to tax under section 115BAC of the Income-tax Act, the income-tax computed under this sub-section shall be increased by a surcharge, for the purposes of the Union, as provided in Paragraph A of Part I of the First Schedule:

Provided also that in case of every resident co-operative society, whose income is chargeable to tax under section 115BAD of the Income-tax Act, the income-tax computed under this sub-section shall be increased by a surcharge, for the purposes of the Union, calculated at the rate of ten per cent. of such "advance tax".

(4) In cases in which tax has to be charged and paid under sub-section (2A) of section 92CE or section 115QA or section 115TA or section 115TD of the Income-tax Act, the tax shall be charged and paid at the rates as specified in those sections and shall be increased by a surcharge, for the purposes of the Union, calculated at the rate of twelve per cent. of such tax.

(5) In cases in which tax has to be deducted under sections 193, 194A, 194B, 194BB, 194D, 194LBA, 194LBB, 194LBC and 195 of the Income-tax Act, at the rates in force, the deductions shall be made at the rates specified in Part II of the First Schedule and shall be increased by a surcharge, for the purposes of the Union, calculated in cases wherever prescribed, in the manner provided therein.

(6) In cases in which tax has to be deducted under sections 192A, 194, 194C, 194DA, 194E, 194EE, 194F, 194G, 194H, 194-I, 194-IA, 194-IB, 194-IC, 194J, 194LA, 194LB, 194LBA, 194LBB, 194LBC, 194LC, 194LD, 194K, 194M, 194N, 194-O, 194Q, 194R, 194S, 196A, 196B, 196C and 196D of the Income-tax Act, the deductions shall be made at the rates specified in those sections and shall be increased by a surcharge, for the purposes of the Union,—

(a) in the case of every individual or Hindu undivided family or association of persons, except in case of an association of persons consisting of only companies as its members, or body of individuals, whether incorporated or not, or every artificial juridical person referred to in sub-clause (vii) of clause (31) of section 2 of the Income-tax Act, being a non-resident, except in case of deduction on income by way of dividend under section 196D of that Act, calculated,—

(i) at the rate of ten per cent. of such tax, where the income or the aggregate of such incomes paid or likely to be paid and subject to the deduction exceeds fifty lakh rupees but does not exceed one crore rupees;

(ii) at the rate of fifteen per cent. of such tax, where the income or the aggregate of such incomes paid or likely to be paid and subject to the deduction exceeds one crore rupees but does not exceed two crore rupees;

(iii) at the rate of twenty-five per cent. of such tax, where the income or the aggregate of such incomes paid or likely to be paid and subject to the deduction exceeds two crore rupees but does not exceed five crore rupees;

(iv) at the rate of thirty-seven per cent. of such tax, where the income or the aggregate of such incomes paid or likely to be paid and subject to the deduction exceeds five crore rupees;

(aa) in the case of every individual or Hindu undivided family or association of persons, except in case of an association of persons consisting of only companies as its members, or body of individuals, whether incorporated or not, or every artificial juridical person referred to in sub-clause (vii) of clause (31) of section 2 of the Income-tax Act, being a non-resident, in case of deduction on income by way of dividend under section 196D of that Act, calculated,—

(i) at the rate of ten per cent. of such tax, where the income or the aggregate of such incomes paid or likely to be paid and subject to the deduction exceeds fifty lakh rupees but does not exceed one crore rupees;

(ii) at the rate of fifteen per cent. of such tax, where the income or the aggregate of such incomes paid or likely to be paid and subject to the deduction exceeds one crore rupees;

(ab) in the case of an association of persons consisting of only companies as its members, being a non-resident, calculated,—

(i) at the rate of ten per cent. of such tax, where the income or the aggregate of such incomes paid or likely to be paid and subject to the deduction exceeds fifty lakh rupees but does not exceed one crore rupees;

(ii) at the rate of fifteen per cent. of such tax, where the income or the aggregate of such incomes paid or likely to be paid and subject to the deduction exceeds one crore rupees;

(b) in the case of every co-operative society, being a non-resident, calculated,—

(i) at the rate of seven per cent. of such tax, where the income or the aggregate of such incomes paid or likely to be paid and subject to the deduction exceeds one crore rupees but does not exceed ten crore rupees;

(ii) at the rate of twelve per cent. of such tax, where the income or the aggregate of such incomes paid or likely to be paid and subject to the deduction exceeds ten crore rupees;

(c) in the case of every firm, being a non-resident, calculated at the rate of twelve per cent. of such tax, where the income or the aggregate of such incomes paid or likely to be paid and subject to the deduction exceeds one crore rupees;

(d) in the case of every company, other than a domestic company, calculated,—

(i) at the rate of two per cent. of such tax, where the income or the aggregate of such incomes paid or likely to be paid and subject to the deduction exceeds one crore rupees but does not exceed ten crore rupees;

(ii) at the rate of five per cent. of such tax, where the income or the aggregate of such incomes paid or likely to be paid and subject to the deduction exceeds ten crore rupees.

(7) In cases in which tax has to be collected under the proviso to section 194B of the Income-tax Act, the collection shall be made at the rates specified in Part II of the First Schedule, and shall be increased by a surcharge, for the purposes of the Union, calculated, in cases wherever prescribed, in the manner provided therein.

(8) In cases in which tax has to be collected under section 206C of the Income-tax Act, the collection shall be made at the rates specified in that section and shall be increased by a surcharge, for the purposes of the Union,—

(a) in the case of every individual or Hindu undivided family or association of persons, except in case of an association of persons consisting of only companies as its members, or body of individuals, whether incorporated or not, or every artificial juridical person referred to in sub-clause (vii) of clause (31) of section 2 of the Income-tax Act, being a non-resident, calculated,—

(i) at the rate of ten per cent. of such tax, where the amount or the aggregate of such amounts collected or likely to be collected and subject to the collection exceeds fifty lakh rupees but does not exceed one crore rupees;

(ii) at the rate of fifteen per cent. of such tax, where the amount or the aggregate of such amounts collected or likely to be collected and subject to the collection exceeds one crore rupees but does not exceed two crore rupees;

(iii) at the rate of twenty-five per cent. of such tax, where the income or the aggregate of such amounts collected or likely to be collected and subject to the collection exceeds two crore rupees but does not exceed five crore rupees;

(iv) at the rate of thirty-seven per cent. of such tax, where the income or the aggregate of such amounts collected or likely to be collected and subject to the collection exceeds five crore rupees;

(aa) in the case of an association of persons consisting of only companies as its members, being a non-resident, calculated,—

(i) at the rate of ten per cent. of such tax, where the amount or the aggregate of such amounts collected or likely to be collected and subject to the collection exceeds fifty lakh rupees but does not exceed one crore rupees;

(ii) at the rate of fifteen per cent. of such tax, where the amount or the aggregate of such amounts collected or likely to be collected and subject to the collection exceeds one crore rupees;

(b) in the case of every co-operative society, being a non-resident, calculated,—

(i) at the rate of seven per cent. of such tax, where the amount or the aggregate of such amounts collected or likely to be collected and subject to the collection exceeds one crore rupees but does not exceed ten crore rupees;

(ii) at the rate of twelve per cent. of such tax, where the amount or the aggregate of such amounts collected or likely to be collected and subject to the collection exceeds ten crore rupees;

(c) in the case of every firm, being a non-resident, calculated at the rate of twelve per cent. of such tax, where the amount or the aggregate of such amounts collected or likely to be collected and subject to the collection exceeds one crore rupees;

(d) in the case of every company, other than a domestic company, calculated,—

(i) at the rate of two per cent. of such tax, where the amount or the aggregate of such amounts collected or likely to be collected and subject to the collection exceeds one crore rupees but does not exceed ten crore rupees;

(ii) at the rate of five per cent. of such tax, where the amount or the aggregate of such amounts collected or likely to be collected and subject to the collection exceeds ten crore rupees.

(9) Subject to the provisions of sub-section (10), in cases in which income-tax has to be charged under sub-section (4) of section 172 or sub-section (2) of section 174 or section 174A or section 175 or sub-section (2) of section 176 of the Income-tax Act or deducted from, or paid on, income chargeable under the head "Salaries" under section 192 of the said Act or deducted under section 194P of the said Act or in which the "advance tax" payable under Chapter XVII-C of the said Act has to be computed at the rate or rates in force, such income-tax or, as the case may be, "advance tax" shall be charged, deducted or computed at the rate or rates specified in Part III of the First Schedule and such tax shall be increased by a surcharge, for the purposes of the Union, calculated in such cases and in such manner as provided therein:

Provided that in cases to which the provisions of Chapter XII or Chapter XII-A or section 115JB or section 115JC or Chapter XII-FA or Chapter XII-FB or sub-section (1A) of section 161 or section 164 or section 164A or section 167B of the Income-tax Act apply, "advance tax" shall be computed with reference to the rates imposed by this sub-section or the rates as specified in that Chapter or section, as the case may be:

Provided further that the amount of "advance tax" computed in accordance with the provisions of section 111A or section 112 or section 112A of the Income-tax Act shall be increased by a surcharge, for the purposes of the Union, as provided in Paragraph A, B, C, D or E, as the case may be, of Part III of the First Schedule except in case of a domestic company whose income is chargeable to tax under section 115BAA or section 115BAB of the Income-tax Act or in case of a resident co-operative society whose income is chargeable to tax under section 115BAD of the Income-tax Act:

Provided also that in respect of any income chargeable to tax under sections 115A, 115AB, 115AC, 115ACA, 115AD, 115B, 115BA, 115BB, 115BBA, 115BBC, 115BBF, 115BBG, 115BBH, 115BBI, 115E, 115JB or 115JC of the Income-tax Act, "advance tax" computed under the first proviso shall be increased by a surcharge, for the purposes of the Union, calculated,—

(a) in the case of every individual or Hindu undivided family or association of persons, except in a case of an association of persons consisting of only companies as its members, or body of individuals, whether incorporated or not, or every artificial juridical person referred to in sub-clause (vii) of clause (31) of section 2 of the Income-tax Act, not having any income under section 115AD of the Income-tax Act,—

(i) at the rate of ten per cent. of such "advance tax", where the total income exceeds fifty lakh rupees but does not exceed one crore rupees;

(ii) at the rate of fifteen per cent. of such "advance tax", where the total income exceeds one crore rupees but does not exceed two crore rupees;

(iii) at the rate of twenty-five per cent. of such "advance tax", where the total income exceeds two crore rupees but does not exceed five crore rupees;

(iv) at the rate of thirty-seven per cent. of such "advance tax", where the total income exceeds five crore rupees;

(aa) in the case of individual or every association of persons, except in case of an association of persons consisting of only companies as its members, or body of individuals, whether incorporated or not, or every artificial juridical person referred to in sub-clause (vii) of clause (31) of section 2 of the Income-tax Act, having income under section 115AD of the Income-tax Act,—

(i) at the rate of ten per cent. of such "advance tax", where the total income exceeds fifty lakh rupees, but does not exceed one crore rupees;

(ii) at the rate of fifteen per cent. of such "advance tax", where the total income exceeds one crore rupees but does not exceed two crore rupees;

(iii) at the rate of twenty-five per cent. of such "advance tax", where the total income [excluding the income by way of dividend or income of the nature referred to in clause (b) of sub-section (1) of section 115AD of the Income-tax Act] exceeds two crore rupees but does not exceed five crore rupees;

(iv) at the rate of thirty-seven per cent. of such "advance tax", where the total income [excluding the income by way of dividend or income of the nature referred to in clause (b) of sub-section (1) of section 115AD of the Income-tax Act] exceeds five crore rupees;

(v) at the rate of fifteen per cent. of such "advance tax", where the total income [including the income by way of dividend or income of the nature referred to in clause (b) of sub-section (1) of section 115AD of the Income-tax Act] exceeds two crore rupees but is not covered in sub-clauses (iii) and (iv):

Provided that in case where the total income includes any income by way of dividend or income chargeable under clause (b) of sub-section (1) of section 115AD of the Income-tax Act, the rate of surcharge on the advance tax calculated on that part of income shall not exceed fifteen per cent.;

(ab) in the case of an association of persons consisting of only companies as its members, being a non-resident,—

(i) at the rate of ten per cent. of such "advance tax", where the total income exceeds fifty lakh rupees, but does not exceed one crore rupees;

(ii) at the rate of fifteen per cent. of such "advance tax", where the total income exceeds one crore rupees;

(b) in the case of every co-operative society except such co-operative society whose income is chargeable to tax under section 115BAD of the Income-tax Act,—

(i) at the rate of seven per cent. of such "advance tax", where the total income exceeds one crore rupees but does not exceed ten crore rupees;

(ii) at the rate of twelve per cent. of such "advance tax", where the total income exceeds ten crore rupees;

(c) in the case of every firm or local authority at the rate of twelve per cent. of such "advance tax", where the total income exceeds one crore rupees;

(d) in the case of every domestic company except such domestic company whose income is chargeable to tax under section 115BAA or section 115BAB of the Income-tax Act,—

(i) at the rate of seven per cent. of such "advance tax", where the total income exceeds one crore rupees but does not exceed ten crore rupees;

(ii) at the rate of twelve per cent. of such "advance tax", where the total income exceeds ten crore rupees;

(e) in the case of every company, other than a domestic company,—

(i) at the rate of two per cent. of such "advance tax", where the total income exceeds one crore rupees but does not exceed ten crore rupees;

(ii) at the rate of five per cent. of such "advance tax", where the total income exceeds ten crore rupees:

Provided also that in the case of persons mentioned in (a) and (aa) above, having total income chargeable to tax under section 115JC of the Income-tax Act, and such income exceeds,—

(a) fifty lakh rupees but does not exceed one crore rupees, the total amount payable as "advance tax" on such income and surcharge thereon shall not exceed the total amount payable as "advance tax" on a total income of fifty lakh rupees by more than the amount of income that exceeds fifty lakh rupees;

(b) one crore rupees but does not exceed two crore rupees, the total amount payable as "advance tax" on such income and surcharge thereon shall not exceed the total amount payable as "advance tax" on a total income of one crore rupees by more than the amount of income that exceeds one crore rupees;

(c) two crore rupees but does not exceed five crore rupees, the total amount payable as "advance tax" on such income and surcharge thereon shall not exceed the total amount payable as "advance tax" on a total income of two crore rupees by more than the amount of income that exceeds two crore rupees;

(d) five crore rupees, the total amount payable as "advance tax" on such income and surcharge thereon shall not exceed the total amount payable as "advance tax" on a total income of five crore rupees by more than the amount of income that exceeds five crore rupees:

Provided also that in the case of persons mentioned in (ab) above, having total income chargeable to tax under section 115JC of the Income-tax Act, and such income exceeds,—

(a) fifty lakh rupees, but does not exceed one crore rupees, the total amount payable as "advance tax" on such income and surcharge thereon shall not exceed the total amount payable as "advance tax" on a total income of fifty lakh rupees by more than the amount of income that exceeds fifty lakh rupees;

(b) one crore rupees, the total amount payable as "advance tax" on such income and surcharge thereon shall not exceed the total amount payable as "advance tax" on a total income of one crore rupees by more than the amount of income that exceeds one crore rupees:

Provided also that in the case of persons mentioned in (b) above, having total income chargeable to tax under section 115JC of the Income-tax Act, and such income exceeds,—

(a) one crore rupees but does not exceed ten crore rupees, the total amount payable as "advance tax" on such income and surcharge thereon, shall not exceed the total amount payable as "advance tax" on a total income of one crore rupees by more than the amount of income that exceeds one crore rupees;

(b) ten crore rupees, the total amount payable as "advance tax" on such income and surcharge thereon, shall not exceed the total amount payable as "advance tax" and surcharge on a total income of ten crore rupees by more than the amount of income that exceeds ten crore rupees:

Provided also that in the case of persons mentioned in (c) above, having total income chargeable to tax under section 115JC of the Income-tax Act, and such income exceeds one crore rupees, the total amount payable as "advance tax" on such income and surcharge thereon shall not exceed the total amount payable as "advance tax" on a total income of one crore rupees by more than the amount of income that exceeds one crore rupees:

Provided also that in the case of every company having total income chargeable to tax under section 115JB of the Income-tax Act, and such income exceeds one crore rupees but does not exceed ten crore rupees, the total amount payable as "advance tax" on such income and surcharge thereon, shall not exceed the total amount payable as "advance tax" on a total income of one crore rupees by more than the amount of income that exceeds one crore rupees:

Provided also that in the case of every company having total income chargeable to tax under section 115JB of the Income-tax Act, and such income exceeds ten crore rupees, the total amount payable as "advance tax" on such income and surcharge thereon, shall not exceed the total amount payable as "advance tax" and surcharge on a total income of ten crore rupees by more than the amount of income that exceeds ten crore rupees:

Provided also that in respect of any income chargeable to tax under clause (i) of sub-section (1) of section 115BBE of the Income-tax Act, the "advance tax" computed under the first proviso shall be increased by a surcharge, for the purposes of the Union, calculated at the rate of twenty-five per cent. of such "advance tax":

Provided also that in case of every domestic company whose income is chargeable to tax under section 115BAA or section 115BAB of the Income-tax Act, the "advance tax" computed under the first proviso shall be increased by a surcharge, for the purposes of the Union, calculated at the rate of ten per cent. of such "advance tax":

Provided also that in case of every individual or Hindu undivided family, whose income is chargeable to tax under section 115BAC of the Income-tax Act, the "advance tax" computed under the first proviso shall be increased by a surcharge, for the purposes of the Union, as provided in Paragraph A of Part III of the First Schedule:

Provided also that in case of every resident co-operative society whose income is chargeable to tax under section 115BAD of the Income-tax Act, the "advance tax" computed under the first proviso shall be increased by a surcharge, for the purposes of the Union, calculated at the rate of ten per cent. of such "advance tax".

(10) In cases to which Paragraph A of Part III of the First Schedule applies, where the assessee has, in the previous year or, if by virtue of any provision of the Income-tax Act, income-tax is to be charged in respect of the income of a period other than the previous year, in such other period, any net agricultural income exceeding five thousand rupees, in addition to total income and the total income exceeds two lakh fifty thousand rupees, then, in charging income-tax under sub-section (2) of section 174 or section 174A or section 175 or sub-section (2) of section 176 of the said Act or in computing the "advance tax" payable under Chapter XVII-C of the said Act, at the rate or rates in force,—

(a) the net agricultural income shall be taken into account, in the manner provided in clause (b) [that is to say, as if the net agricultural income were comprised in the total income after the first two lakh fifty thousand rupees of the total income but without being liable to tax], only for the purpose of charging or computing such income-tax or, as the case may be, "advance tax" in respect of the total income; and

(b) such income-tax or, as the case may be, "advance tax" shall be so charged or computed as follows:—

(i) the total income and the net agricultural income shall be aggregated and the amount of income-tax or "advance tax" shall be determined in respect of the aggregate income at the rates specified in the said Paragraph A, as if such aggregate income were the total income;

(ii) the net agricultural income shall be increased by a sum of two lakh fifty thousand rupees, and the amount of income-tax or "advance tax" shall be determined in respect of the net agricultural income as so increased at the rates specified in the said Paragraph A, as if the net agricultural income were the total income;

(iii) the amount of income-tax or "advance tax" determined in accordance with sub-clause (i) shall be reduced by the amount of income-tax or, as the case may be, "advance tax" determined in accordance with sub-clause (ii) and the sum so arrived at shall be the income-tax or, as the case may be, "advance tax" in respect of the total income:

Provided that in the case of every individual, being a resident in India, who is of the age of sixty years or more but less than eighty years at any time during the previous year, referred to in item (II) of Paragraph A of Part III of the First Schedule, the provisions of this sub-section shall have effect as if for the words "two lakh fifty thousand rupees", the words "three lakh rupees" had been substituted:

Provided further that in the case of every individual, being a resident in India, who is of the age of eighty years or more at any time during the previous year, referred to in item (III) of Paragraph A of Part III of the First Schedule, the provisions of this sub-section shall have effect as if for the words "two lakh fifty thousand rupees", the words "five lakh rupees" had been substituted:

Provided also that the amount of income-tax or "advance tax" so arrived at, shall be increased by a surcharge for the purposes of the Union, calculated in each case, in the manner provided therein.

(11) The amount of income-tax as specified in sub-sections (1) to (3) and as increased by the applicable surcharge, for the purposes of the Union, calculated in the manner provided therein, shall be further increased by an additional surcharge, for the purposes of the Union, to be called the "Health and Education Cess on income-tax", calculated at the rate of four per cent. of such income-tax and surcharge so as to fulfil the commitment of the Government to provide and finance quality health services and universalised quality basic education and secondary and higher education.

(12) The amount of income-tax as specified in sub-sections (4) to (10) and as increased by the applicable surcharge, for the purposes of the Union, calculated in the manner provided therein, shall be further increased by an additional surcharge, for the purposes of the Union, to be called the "Health and Education Cess on income-tax", calculated at the rate of four per cent. of such income-tax and surcharge so as to fulfil the commitment of the Government to provide and finance quality health services and universalised quality basic education and secondary and higher education:

Provided that nothing contained in this sub-section shall apply to cases in which tax is to be deducted or collected under the sections of the Income-tax Act mentioned in sub-sections (5), (6), (7) and (8), if the income subjected to deduction of tax at source or collection of tax at source is paid to a domestic company and any other person who is resident in India.

(13) For the purposes of this section and the First Schedule,—

(a) "domestic company" means an Indian company or any other company which, in respect of its income liable to income-tax under the Income-tax Act, for the assessment year commencing on the 1st day of April, 2018, has made the prescribed arrangements for the declaration and payment within India of the dividends (including dividends on preference shares) payable out of such income;

(b) "insurance commission" means any remuneration or reward, whether by way of commission or otherwise, for soliciting or procuring insurance business (including business relating to the continuance, renewal or revival of policies of insurance);

(c) "net agricultural income" in relation to a person, means the total amount of agricultural income, from whatever source derived, of that person computed in accordance with the rules contained in Part IV of the First Schedule;

(d) all other words and expressions used in this section and the First Schedule but not defined in this sub-section and defined in the Income-tax Act shall have the meanings, respectively, assigned to them in that Act.

CHAPTER III

DIRECT TAXES

Income-tax

3. In section 2 of the Income-tax Act,—

Amendment
of section 2.

(a) in clause (12A), for the words "in the written form or as print-outs of data stored in", the words "in the written form or in electronic form or in digital form or as print-outs of data stored in such electronic form or in digital form or in" shall be substituted;

(b) in clause (42C), for the word "sales" occurring at the end and before *Explanation 1*, the word "transfer" shall be substituted and shall be deemed to have been substituted with effect from the 1st day of April, 2021;

(c) after clause (47), the following clause shall be inserted, namely:—

'(47A) "virtual digital asset" means—

(a) any information or code or number or token (not being Indian currency or foreign currency), generated through cryptographic means or otherwise, by whatever name called, providing a digital representation of value exchanged with or without consideration, with the promise or representation of having inherent value, or functions as a store of value or a unit of account including its use in any financial transaction or investment, but not limited to investment scheme; and can be transferred, stored or traded electronically;

(b) a non-fungible token or any other token of similar nature, by whatever name called;

(c) any other digital asset, as the Central Government may, by notification in the Official Gazette specify:

Provided that the Central Government may, by notification in the Official Gazette, exclude any digital asset from the definition of virtual digital asset subject to such conditions as may be specified therein.

Explanation.—For the purposes of this clause,—

(a) "non-fungible token" means such digital asset as the Central Government may, by notification in the Official Gazette, specify;

(b) the expressions "currency", "foreign currency" and "Indian currency" shall have the same meanings as respectively assigned to them in clauses (h), (m) and (q) of section 2 of the Foreign Exchange Management Act, 1999.'

42 of 1999.

Amendment
of section 10.

4. In section 10 of the Income-tax Act,—

(a) with effect from the 1st day of April, 2023,—

(i) in clause (4D), in the *Explanation*, in clause (c), in sub-clause (i), in item (III), for the words "non-residents; or", the following shall be substituted, namely:—

"non-residents:

Provided that the condition specified in this item shall not apply where any unit holder or holders, being non-resident during the previous year when such unit or units were issued, becomes resident under clause (I) or clause (IA) of section 6 in any previous year subsequent to that year, if the aggregate value and number of the units held by such resident unit holder or holders do not exceed five per cent. of the total units issued and fulfil such other conditions as may be prescribed; or";

(ii) in clause (4E), after the words "non-deliverable forward contracts", the words "or offshore derivative instruments or over-the-counter derivatives," shall be inserted;

(iii) in clause (4F),—

(I) after the word "aircraft", the words "or a ship" shall be inserted;

(II) for the *Explanation*, the following *Explanation* shall be substituted, namely:—

Explanation.—For the purposes of this clause,—

(i) "aircraft" means an aircraft or a helicopter, or an engine of an aircraft or a helicopter, or any part thereof;

(ii) "ship" means a ship or an ocean vessel, engine of a ship or ocean vessel, or any part thereof;';

(iv) after clause (4F), the following clause shall be inserted, namely:—

'(4G) any income received by a non-resident from portfolio of securities or financial products or funds, managed or administered by any portfolio manager on behalf of such non-resident, in an account maintained with an Offshore Banking Unit in any International Financial Services Centre, as referred to in sub-section (IA) of section 80LA, to the extent such income accrues or arises outside India and is not deemed to accrue or arise in India.

Explanation.—For the purposes of this clause, "portfolio manager" shall have the same meaning as assigned to it in clause (z) of sub-regulation (1) of regulation (2) of the International Financial Services Centres Authority (Capital Market Intermediaries) Regulations, 2021, made under the International Financial Services Centres Authority Act, 2019;';

50 of 2019.

(v) in clause (8), after sub-clause (b), the following proviso shall be inserted, namely:—

"Provided that nothing contained in this clause shall apply to such remuneration and income of the previous year relevant to the assessment year beginning on or after the 1st day of April, 2023;";

(vi) in clause (8A), after sub-clause (b) and before the *Explanation*, the following proviso shall be inserted, namely:—

"Provided that nothing contained in this clause shall apply to such remuneration, fee and income of the previous year relevant to the assessment year beginning on or after the 1st day of April, 2023.";

(vii) in clause (8B), after sub-clause (b), the following proviso shall be inserted, namely:—

"Provided that nothing contained in this clause shall apply to such remuneration and income of the previous year relevant to the assessment year beginning on or after the 1st day of April, 2023;"

(viii) after clause (9), the following proviso shall be inserted, namely:—

"Provided that nothing contained in this clause shall apply to such income of the previous year relevant to the assessment year beginning on or after the 1st day of April, 2023;"

(b) in clause (23C),—

(i) in sub-clauses (iv), (v), (vi) and (via), for the words "prescribed authority", the words "Principal Commissioner or Commissioner" shall be substituted;

(ii) in the third proviso,—

(I) after *Explanation 1*, the following *Explanations* shall be inserted and shall be deemed to have been inserted with effect from the 1st day of April, 2021, namely:—

"*Explanation 1A*.—For the purposes of this proviso, where the property held under a trust or institution referred to in clause (v) includes any temple, mosque, gurdwara, church or other place notified under clause (b) of sub-section (2) of section 80G, any sum received by such trust or institution as a voluntary contribution for the purpose of renovation or repair of such temple, mosque, gurdwara, church or other place, may, at its option, be treated by such trust or institution as forming part of the corpus of that trust or institution, subject to the condition that the trust or institution,—

(a) applies such corpus only for the purpose for which the voluntary contribution was made;

(b) does not apply such corpus for making contribution or donation to any person;

(c) maintains such corpus as separately identifiable; and

(d) invests or deposits such corpus in the forms and modes specified under sub-section (5) of section 11.

Explanation 1B.—For the purposes of *Explanation 1A*, where any trust or institution referred to in sub-clause (v) has treated any sum received by it as forming part of the corpus, and subsequently any of the conditions specified in clause (a) or clause (b) or clause (c) or clause (d) of the said *Explanation* is violated, such

sum shall be deemed to be the income of such trust or institution of the previous year during which the violation takes place.";

(II) after *Explanation 2*, the following *Explanations* shall be inserted with effect from the 1st day of April, 2023, namely:—

"*Explanation 3*.—For the purposes of determining the amount of application under this proviso, where eighty-five per cent. of the income referred to in clause (a) of this proviso is not applied wholly and exclusively to the objects for which the fund or institution or trust or any university or other educational institution or any hospital or other medical institution referred to in sub-clause (iv) or sub-clause (v) or sub-clause (vi) or sub-clause (via) is established, during the previous year but is accumulated or set apart, either in whole or in part, for application to such objects, such income so accumulated or set apart shall not be included in the total income of the previous year of the person in receipt of the income, if the following conditions are complied with, namely:—

(a) such person furnishes a statement in such form and manner, as may be prescribed, to the Assessing Officer stating the purpose for which the income is being accumulated or set apart and the period for which the income is to be accumulated or set apart, which shall in no case exceed five years;

(b) the money so accumulated or set apart is invested or deposited in the forms or modes specified in sub-section (5) of section 11; and

(c) the statement referred to in clause (a) is furnished on or before the due date specified under sub-section (1) of section 139 for furnishing the return of income for the previous year:

Provided that in computing the period of five years referred to in clause (a), the period during which the income could not be applied for the purpose for which it is so accumulated or set apart, due to an order or injunction of any court, shall be excluded.

Explanation 4.—Any income referred to in *Explanation 3*, which,—

(a) is applied for purposes other than wholly and exclusively to the objects for which the fund or institution or trust or any university or other educational institution or any hospital or other medical institution referred to in sub-clause (iv) or sub-clause (v) or sub-clause (vi) or sub-clause (via) is established or ceases to be accumulated or set apart for application thereto; or

(b) ceases to remain invested or deposited in any of the forms or modes specified in sub-section (5) of section 11; or

(c) is not utilised for the purpose for which it is so accumulated or set apart during the period referred to in clause (a) of *Explanation 3*; or

(d) is credited or paid to any trust or institution registered under section 12AA or section 12AB or to any fund or institution or trust or any university or other educational institution or any hospital or other medical institution referred to in sub-clause (iv) or sub-clause (v) or sub-clause (vi) or sub-clause (via),

shall be deemed to be the income of such person of the previous year—

(i) in which it is so applied or ceases to be so accumulated or set apart under clause (a); or

(ii) in which it ceases to remain so invested or deposited under clause (b); or

(iii) being the last previous year of the period, for which the income is accumulated or set apart under clause (a) of *Explanation 3*, but not utilised for the purpose for which it is so accumulated or set apart under clause (c); or

(iv) in which it is credited or paid to any fund or institution or trust or any university or other educational institution or any hospital or other medical institution under clause (d).

Explanation 5.—Notwithstanding anything contained in *Explanation 4*, where due to circumstances beyond the control of the person in receipt of the income, any income invested or deposited in accordance with the provisions of clause (b) of *Explanation 3* cannot be applied for the purpose for which it was accumulated or set apart, the Assessing Officer may, on an application made to him in this behalf, allow such person to apply such income for such other purpose in India as is specified in the application by that person and as is in conformity with the objects for which the fund or institution or trust or any university or other educational institution or any hospital or other medical institution referred to in sub-clause (iv) or sub-clause (v) or sub-clause (vi) or sub-clause (via) is established; and thereupon the provisions of *Explanation 4* shall apply as if the purpose specified by that person in the application under this *Explanation* were a purpose specified in the notice given to the Assessing Officer under clause (a) of *Explanation 3*:

Provided that the Assessing Officer shall not allow application of such income by way of payment or credit made for the purposes referred to in clause (d) of *Explanation 4*:"

(iii) for the tenth proviso, the following proviso shall be substituted with effect from the 1st day of April, 2023, namely:—

"Provided also that where the total income of the fund or institution or trust or any university or other educational institution or any hospital or other medical institution referred to in sub-clause (iv) or sub-clause (v) or sub-clause (vi) or sub-clause (via), without giving effect to the provisions of the said sub-clauses, exceeds the maximum amount which is not chargeable to tax in any previous year, such fund or institution or trust or any university or other educational institution or any hospital or other medical institution shall,—

(a) keep and maintain books of account and other documents in such form and manner and at such place, as may be prescribed; and

(b) get its accounts audited in respect of that year by an accountant as defined in the *Explanation* below sub-section (2) of section 288 before the specified date referred to in section 44AB and furnish by that date, the report of such audit in the prescribed form duly signed and verified by such accountant and setting forth such particulars as may be prescribed:";

(iv) for the fifteenth proviso, the following proviso shall be substituted, namely:—

'Provided also that where the fund or institution referred to in sub-clause (iv) or trust or institution referred to in sub-clause (v) or any university or other educational institution referred to in sub-clause (vi) or any hospital or other medical institution referred to in sub-clause (via) is approved or provisionally approved under the said clause and subsequently—

(a) the Principal Commissioner or Commissioner has noticed occurrence of one or more specified violations during any previous year; or

(b) the Principal Commissioner or Commissioner has received a reference from the Assessing Officer under the second proviso to sub-section (3) of section 143 for any previous year; or

(c) such case has been selected in accordance with the risk management strategy, formulated by the Board from time to time, for any previous year,

the Principal Commissioner or Commissioner, shall,—

(i) call for such documents or information from the fund or institution or trust or any university or other educational institution or any hospital or other medical institution, or make such inquiry as he thinks necessary in order to satisfy himself about the occurrence of any specified violation;

(ii) pass an order in writing cancelling the approval of such fund or institution or trust or any university or other educational institution or any hospital or other medical institution, on or before the specified date, after affording a reasonable opportunity of being heard, for such previous year and all subsequent previous years, if he is satisfied that one or more specified violation has taken place;

(iii) pass an order in writing refusing to cancel the approval of such fund or institution or trust or any university or other educational institution or any hospital or other medical institution, on or before the specified date, if he is not satisfied about the occurrence of one or more specified violations;

(iv) forward a copy of the order under clause (ii) or clause (iii), as the case may be, to the Assessing Officer and such fund or institution or trust or any university or other educational institution or any hospital or other medical institution.

Explanation 1.—For the purposes of this proviso, "specified date" shall mean the day on which the period of six months, calculated from the end of the quarter in which the first notice is issued by the Principal Commissioner or Commissioner, on or after the 1st day of April, 2022, calling for any document or information, or for making any inquiry, under clause (i) expires.

Explanation 2.—For the purposes of this proviso, the following shall mean "specified violation",—

(a) where any income of the fund or institution or trust or any university or other educational institution or any hospital or other medical institution has been applied other than for the objects for which it is established; or

(b) the fund or institution or trust or any university or other educational institution or any hospital or other medical institution has income from profits and gains of business, which is not incidental to the attainment of its objectives or separate books of account are not maintained by it in respect of the business which is incidental to the attainment of its objectives; or

(c) any activity of the fund or institution or trust or any university or other educational institution or any hospital or other medical institution,—

(A) is not genuine; or

(B) is not being carried out in accordance with all or any of the conditions subject to which it was notified or approved; or

(d) the fund or institution or trust or any university or other educational institution or any hospital or other medical institution has not complied with the requirement of any other law for the time being in force, and the order, direction or decree, by whatever name called, holding that such non-compliance has occurred, has either not been disputed or has attained finality.

Explanation 3.—For the purposes of clause (b) of this proviso, where the Assessing Officer has intimated the Central Government or the prescribed authority under the first proviso of sub-section (3) of section 143 about the contravention of the provisions of sub-clause (iv) or sub-clause (v) or sub-clause (vi) or sub-clause (via) of this clause by any fund or institution or trust or university or other educational institution or any hospital or other medical institution in respect of an assessment year, and the approval granted to such fund or institution or trust or university or other educational institution or any hospital or other medical institution has not been withdrawn, or the notification issued in its case has not been rescinded, on or before the 31st day of March, 2022, such intimation shall be deemed to be a reference received by the Principal Commissioner or Commissioner as on the 1st day of April, 2022, and the provisions of clause (b) of the second proviso to sub-section (3) of section 143 shall apply accordingly for such assessment year.;

(v) for the nineteenth proviso, the following proviso shall be substituted, namely:—

"Provided also that where the fund or institution referred to in sub-clause (iv) or the trust or institution referred to in sub-clause (v) or any university or other educational institution referred to in sub-clause (vi) or any hospital or other medical institution referred to in sub-clause (via) has been approved by the Principal Commissioner or Commissioner, and the approval is in force for any

previous year, then, nothing contained in any other provision of this section, other than clause (1) thereof, shall operate to exclude any income received on behalf of such fund or institution or trust or university or other educational institution or hospital or other medical institution, as the case may be, from the total income of the person in receipt thereof for that previous year.

Explanation.—Where, on or after the 1st day of April, 2022 any fund or institution referred to in sub-clause (iv) or any trust or institution referred to in sub-clause (v) or any university or other educational institution referred to in sub-clause (vi) or any hospital or other medical institution referred to in sub-clause (via) is notified under clause (46) of section 10, the approval or provisional approval granted to such fund or institution or trust or university or other educational institution or hospital or other medical institution shall become inoperative from the date of notification of such fund or institution or trust or university or other educational institution or hospital or other medical institution, as the case may be, under clause (46) of the said section:”;

(vi) after the nineteenth proviso and before *Explanation 1*, the following provisos shall be inserted with effect from the 1st day of April, 2023, namely:—

‘Provided also that the fund or institution or trust or any university or other educational institution or any hospital or other medical institution referred to in sub-clause (iv) or sub-clause (v) or sub-clause (vi) or sub-clause (via) shall furnish the return of income for the previous year in accordance with the provisions of sub-section (4C) of section 139, within the time allowed under that section:

Provided also that where the income or part of income or property of any fund or institution or trust or any university or other educational institution or any hospital or other medical institution referred to in sub-clause (iv) or sub-clause (v) or sub-clause (vi) or sub-clause (via), has been applied directly or indirectly for the benefit of any person referred to in sub-section (3) of section 13, such income or part of income or property shall, after taking into account the provisions of sub-sections (2), (4) and (6) of the said section, be deemed to be the income of such fund or institution or trust or university or other educational institution or hospital or other medical institution of the previous year in which it is so applied:

Provided also that where any fund or institution or trust or any university or other educational institution or any hospital or other medical institution referred to in sub-clause (iv) or sub-clause (v) or sub-clause (vi) or sub-clause (via) violates the conditions of the tenth proviso or twentieth proviso, or where the provisions of the eighteenth proviso are applicable, its income chargeable to tax shall be computed after allowing deduction for the expenditure (other than capital expenditure) incurred in India, for the objects of the fund or institution or trust or university or other educational institution or hospital or other medical institution, subject to fulfilment of the following conditions, namely:—

(a) such expenditure is not from the corpus standing to the credit of the fund or institution or trust or university or other educational institution or hospital or other medical institution as on the end of the financial year immediately preceding the previous year relevant to the assessment year for which the income is being computed;

(b) such expenditure is not from any loan or borrowing;

(c) claim of depreciation is not in respect of an asset, acquisition of which has been claimed as application of income in the same or any other previous year; and

(d) such expenditure is not in the form of any contribution or donation to any person.

Explanation.—For the purposes of determining the amount of expenditure under this proviso, the provisions of sub-clause (ia) of clause (a) of section 40 and sub-sections (3) and (3A) of section 40A shall, *mutatis mutandis*, apply as they apply in computing the income chargeable under the head “Profits and gains of business or profession”:

Provided also that for the purposes of computing income chargeable to tax under the twenty-second proviso, no deduction in respect of any expenditure or allowance or set off of any loss shall be allowed to the assessee under any other provision of this Act:’.

(vii) after *Explanation 2*, the following shall be inserted, namely:—

“*Explanation 3.*—For the purposes of this clause, any sum payable by any fund or institution or trust or any university or other educational institution or any hospital or other medical institution referred to in sub-clause (iv) or sub-clause (v) or sub-clause (vi) or sub-clause (via) shall be considered as application of income during the previous year in which such sum is actually paid by it (irrespective of the previous year in which the liability to pay such sum was incurred by the fund or institution or trust or any university or other educational institution or any hospital or other medical institution according to the method of accounting regularly employed by it):

Provided that where during any previous year any sum has been claimed to have been applied by the fund or institution or trust or any university or other educational institution or any hospital or other medical institution, such sum shall not be allowed as application in any subsequent previous year;”.

5. In section 11 of the Income-tax Act,—

Amendment
of section 11.

(a) in sub-section (1), after *Explanation 3*, the following *Explanations* shall be inserted and shall be deemed to have been inserted with effect from the 1st day of April, 2021, namely:—

“*Explanation 3A.*—For the purposes of this sub-section, where the property held under a trust or institution includes any temple, mosque, gurdwara, church or other place notified under clause (b) of sub-section (2) of section 80G, any sum received by such trust or institution as voluntary contribution for the purpose of renovation or repair of such temple, mosque, gurdwara, church or other place, may, at its option, be treated by such trust or institution as forming part of the corpus of the trust or the institution, subject to the condition that the trust or the institution,—

(a) applies such corpus only for the purpose for which the voluntary contribution was made;

(b) does not apply such corpus for making contribution or donation to any person;

(c) maintains such corpus as separately identifiable; and

(d) invests or deposits such corpus in the forms and modes specified under sub-section (5) of section 11.

Explanation 3B.—For the purposes of *Explanation 3A*, where any trust or institution has treated any sum received by it as forming part of the corpus, and subsequently any of the conditions specified in clause (a) or clause (b) or clause (c) or clause (d) of the said *Explanation* is violated, such sum shall be deemed to be the income of such trust or institution of the previous year during which the violation takes place.”;

(b) in sub-section (3), with effect from the 1st day of April, 2023,—

(a) in clause (c), the words “or in the year immediately following the expiry thereof” shall be omitted;

(b) for the long line, the following long line shall be substituted, namely:—

“shall be deemed to be the income of such person of the previous year,—

(i) in which it is so applied or ceases to be so accumulated or set apart under clause (a); or

(ii) in which it ceases to remain so invested or deposited under clause (b); or

(iii) being the last previous year of the period, for which the income is accumulated or set apart but not utilised for the purpose for which it is so accumulated or set apart under clause (c); or

(iv) in which it is credited or paid to any fund or institution or trust or any university or other educational institution or any hospital or other medical institution under clause (d).”;

(c) after sub-section (7), the following shall be inserted, namely:—

“Explanation.—For the purposes of this section, any sum payable by any trust or institution shall be considered as application of income in the previous year in which such sum is actually paid by it (irrespective of the previous year in which the liability to pay such sum was incurred by the trust or institution according to the method of accounting regularly employed by it):

Provided that where during any previous year, any sum has been claimed to have been applied by the trust or institution, such sum shall not be allowed as application in any subsequent previous year.”.

Amendment
of section
12A.

6. In section 12A of the Income-tax Act, in sub-section (1), for clause (b), the following clause shall be substituted with effect from the 1st day of April, 2023, namely:—

“(b) where the total income of the trust or institution as computed under this Act without giving effect to the provisions of sections 11 and 12 exceeds the maximum amount which is not chargeable to income-tax in any previous year,—

(i) the books of account and other documents have been kept and maintained in such form and manner and at such place, as may be prescribed; and

(ii) the accounts of the trust or institution for that year have been audited by an accountant defined in the *Explanation* below sub-section (2) of section 288 before the specified date referred to in section 44AB and the person in receipt of the income furnishes by that date the report of such audit in the prescribed form duly signed and verified by such accountant and setting forth such particulars, as may be prescribed; ”.

7. In section 12AB of the Income-tax Act, for sub-sections (4) and (5), the following sub-sections shall be substituted, namely:—

Amendment
of section
12AB.

‘(4) Where registration or provisional registration of a trust or an institution has been granted under clause (a) or clause (b) or clause (c) of sub-section (1) or clause (b) of sub-section (1) of section 12AA, as the case may be, and subsequently,—

(a) the Principal Commissioner or Commissioner has noticed occurrence of one or more specified violations during any previous year; or

(b) the Principal Commissioner or Commissioner has received a reference from the Assessing Officer under the second proviso to sub-section (3) of section 143 for any previous year; or

(c) such case has been selected in accordance with the risk management strategy, formulated by the Board from time to time, for any previous year,

the Principal Commissioner or Commissioner shall,—

(i) call for such documents or information from the trust or institution, or make such inquiry as he thinks necessary in order to satisfy himself about the occurrence or otherwise of any specified violation;

(ii) pass an order in writing, cancelling the registration of such trust or institution, after affording a reasonable opportunity of being heard, for such previous year and all subsequent previous years, if he is satisfied that one or more specified violations have taken place;

(iii) pass an order in writing, refusing to cancel the registration of such trust or institution, if he is not satisfied about the occurrence of one or more specified violations;

(iv) forward a copy of the order under clause (ii) or clause (iii), as the case may be, to the Assessing Officer and such trust or institution.

Explanation.—For the purposes of this sub-section, the following shall mean “specified violation”,—

(a) where any income derived from property held under trust, wholly or in part for charitable or religious purposes, has been applied, other than for the objects of the trust or institution; or

(b) the trust or institution has income from profits and gains of business which is not incidental to the attainment of its objectives or separate books of account are not maintained by such trust or institution in respect of the business which is incidental to the attainment of its objectives; or

(c) the trust or institution has applied any part of its income from the property held under a trust for private religious purposes, which does not enure for the benefit of the public; or

(d) the trust or institution established for charitable purpose created or established after the commencement of this Act, has applied any part of its income for the benefit of any particular religious community or caste; or

(e) any activity being carried out by the trust or institution,—

(i) is not genuine; or

(ii) is not being carried out in accordance with all or any of the conditions subject to which it was registered; or

(f) the trust or institution has not complied with the requirement of any other law, as referred to in item (B) of sub-clause (i) of clause (b) of sub-section (1), and the order,

direction or decree, by whatever name called, holding that such non-compliance has occurred, has either not been disputed or has attained finality.

(5) The order under clause (ii) or clause (iii) of sub-section (4), as the case may be, shall be passed before the expiry of a period of six months, calculated from the end of the quarter in which the first notice is issued by the Principal Commissioner or Commissioner, on or after the 1st day of April, 2022, calling for any document or information, or for making any inquiry, under clause (i) of sub-section (4).’

Amendment
of section 13.

8. In section 13 of the Income-tax Act, with effect from the 1st day of April, 2023,—

(a) in sub-section (1),—

(i) in clause (c), in the long line, for the word, brackets and figure “sub-section (3)”, the words, brackets and figures “sub-section (3), such part of income as referred to in sub-clauses (i) and (ii)” shall be substituted;

(ii) in clause (d), in the long line, for the word and figures “November, 1983”, the words, figures and brackets “November, 1983, to the extent of such deposits or investments referred to in sub-clauses (i), (ii) and (iii)” shall be substituted;

(b) after sub-section (9) and before *Explanation 1*, the following sub-sections shall be inserted, namely:—

‘(10) Where the provisions of sub-section (8) are applicable to any trust or institution or it violates the conditions specified under clause (b) or clause (ba) of sub-section (1) of section 12A, its income chargeable to tax shall be computed after allowing deduction for the expenditure (other than capital expenditure) incurred in India, for the objects of the trust or institution, subject to fulfilment of the following conditions, namely:—

(a) such expenditure is not from the corpus standing to the credit of the trust or institution as on the end of the financial year immediately preceding the previous year relevant to the assessment year for which income is being computed;

(b) such expenditure is not from any loan or borrowing;

(c) claim of depreciation is not in respect of an asset, acquisition of which has been claimed as application of income, in the same or any other previous year; and

(d) such expenditure is not in the form of any contribution or donation to any person.

Explanation.—For the purposes of determining the amount of expenditure under this sub-section, the provisions of sub-clause (ia) of clause (a) of section 40 and sub-sections (3) and (3A) of section 40A, shall, *mutatis mutandis*, apply as they apply in computing the income chargeable under the head “Profits and gains of business or profession”.

(11) For the purposes of computing income chargeable to tax under sub-section (10), no deduction in respect of any expenditure or allowance or set off of any loss shall be allowed to the assessee under any other provision of this Act.’

Amendment
of section
14A.

9. In section 14A of the Income-tax Act,—

(a) in sub-section (1), for the words “For the purposes of”, the words “Notwithstanding anything to the contrary contained in this Act, for the purposes of” shall be substituted;

(b) after the proviso, the following *Explanation* shall be inserted, namely:—

“*Explanation.*—For the removal of doubts, it is hereby clarified that notwithstanding anything to the contrary contained in this Act, the provisions of this section shall apply and shall be deemed to have always applied in a case where the income, not forming part of the total income under this Act, has not accrued or arisen or has not been received during the previous year relevant to an assessment year and the expenditure has been incurred during the said previous year in relation to such income not forming part of the total income.”.

10. In section 17 of the Income-tax Act, in clause (2), in the first proviso, in clause (ii), after sub-clause (b), the following sub-clause shall be inserted and shall be deemed to have been inserted with effect from the 1st day of April, 2020, namely:— Amendment of section 17.

“(c) in respect of any illness relating to COVID-19 subject to such conditions as the Central Government may, by notification in the Official Gazette, specify in this behalf:”.

11. In section 35 of the Income-tax Act, in sub-section (1A), for the words, brackets, figures and letter “the research association, university, college or other institution referred to in clause (ii) or clause (iii) or the company referred to in clause (iia) of sub-section (1) shall not be entitled to deduction under the respective clauses of the said sub-section”, the words, brackets, figures and letter “the deduction in respect of any sum paid to the research association, university, college or other institution referred to in clause (ii) or clause (iii), or the company referred to in clause (iia) of sub-section (1), shall not be allowed” shall be substituted and shall be deemed to have been substituted with effect from the 1st day of April, 2021. Amendment of section 35.

12. In section 37 of the Income-tax Act, in sub-section (1), after *Explanation 2*, the following *Explanation* shall be inserted, namely:— Amendment of section 37.

‘*Explanation 3.*—For the removal of doubts, it is hereby clarified that the expression “expenditure incurred by an assessee for any purpose which is an offence or which is prohibited by law” under *Explanation 1*, shall include and shall be deemed to have always included the expenditure incurred by an assessee,—

(i) for any purpose which is an offence under, or which is prohibited by, any law for the time being in force, in India or outside India; or

(ii) to provide any benefit or perquisite, in whatever form, to a person, whether or not carrying on a business or exercising a profession, and acceptance of such benefit or perquisite by such person is in violation of any law or rule or regulation or guideline, as the case may be, for the time being in force, governing the conduct of such person; or

(iii) to compound an offence under any law for the time being in force, in India or outside India.’.

13. In section 40 of the Income-tax Act, in clause (a), in sub-clause (ii), after *Explanation 2*, the following *Explanation* shall be inserted and shall be deemed to have been inserted with effect from the 1st day of April, 2005, namely:— Amendment of section 40.

‘*Explanation 3.*—For the removal of doubts, it is hereby clarified that for the purposes of this sub-clause, the term “tax” shall include and shall be deemed to have always included any surcharge or cess, by whatever name called, on such tax.’.

14. In section 43B of the Income-tax Act, with effect from the 1st day of April, 2023,— Amendment of section 43B.

(i) in *Explanation 3C*, after the words “loan or borrowing”, the words “or debenture or any other instrument by which the liability to pay is deferred to a future date” shall be inserted;

(ii) in *Explanation* 3CA, after the words “loan or borrowing”, the words “or debenture or any other instrument by which the liability to pay is deferred to a future date” shall be inserted;

(iii) in *Explanation* 3D, after the words “loan or advance”, the words “or debenture or any other instrument by which the liability to pay is deferred to a future date” shall be inserted.

Amendment
of section 50.

15. In section 50 of the Income-tax Act, after the proviso, the following *Explanation* shall be inserted and shall be deemed to have been inserted with effect from the 1st day of April, 2021, namely:—

“*Explanation.*—For the purposes of this section, reduction of the amount of goodwill of a business or profession, from the block of asset in accordance with sub-item (B) of item (ii) of sub-clause (c) of clause (6) of section 43 shall be deemed to be transfer.”.

Amendment
of section 56.

16. In section 56 of the Income-tax Act, in sub-section (2),—

(a) in clause (viiB), in the *Explanation*, in clause (aa), after the words and figures “Securities and Exchange Board of India Act, 1992”, the words and figures “or regulated under the International Financial Services Centres Authority Act, 2019” shall be inserted with effect from the 1st day of April, 2023;

15 of 1992.
50 of 2019.

(b) in clause (x),—

(i) in the proviso occurring after item (B) in sub-clause (c), after clause (XI) and before the *Explanation*, the following clauses shall be inserted and shall be deemed to have been inserted with effect from the 1st day of April, 2020, namely:—

‘(XII) by an individual, from any person, in respect of any expenditure actually incurred by him on his medical treatment or treatment of any member of his family, for any illness related to COVID-19 subject to such conditions, as the Central Government may, by notification in the Official Gazette, specify in this behalf;

(XIII) by a member of the family of a deceased person,—

(A) from the employer of the deceased person; or

(B) from any other person or persons to the extent that such sum or aggregate of such sums does not exceed ten lakh rupees, where the cause of death of such person is illness related to COVID-19 and the payment is—

(i) received within twelve months from the date of death of such person; and

(ii) subject to such other conditions, as the Central Government may, by notification in the Official Gazette, specify in this behalf.

Explanation.—For the purposes of clauses (XII) and (XIII) of this proviso, “family”, in relation to an individual, shall have the same meaning as assigned to it in *Explanation* 1 to clause (5) of section 10.’;

(ii) in sub-clause (c), after the proviso occurring after item (B) and before the *Explanation*, the following proviso shall be inserted with effect from the 1st day of April, 2023, namely:—

“Provided further that clauses (VI) and (VII) of the first proviso shall not apply where any sum of money or any property has been received by any person referred to in sub-section (3) of section 13.”;

(iii) for the *Explanation*, the following *Explanation* shall be substituted with effect from the 1st day of April, 2023, namely:—

‘*Explanation.*—For the purposes of this clause,—

(a) the expressions “assessable”, “fair market value”, “jewellery”, “relative” and “stamp duty value” shall have the same meanings as respectively assigned to them in the *Explanation* to clause (vii); and

(b) the expression “property” shall have the same meaning as assigned to it in clause (d) of the *Explanation* to clause (vii) and shall include virtual digital asset.’.

17. In section 68 of the Income-tax Act, with effect from the 1st day of April, 2023,—

Amendment
of section 68.

(i) in the first proviso, for the words “Provided that”, the following shall be substituted, namely:—

“Provided that where the sum so credited consists of loan or borrowing or any such amount, by whatever name called, any explanation offered by such assessee shall be deemed to be not satisfactory, unless,—

(a) the person in whose name such credit is recorded in the books of such assessee also offers an explanation about the nature and source of such sum so credited; and

(b) such explanation in the opinion of the Assessing Officer aforesaid has been found to be satisfactory:

Provided further that”;

(ii) in the second proviso,—

(a) for the words “Provided further”, the words “Provided also” shall be substituted;

(b) for the words “first proviso”, the words “first proviso or second proviso” shall be substituted.

18. In section 79 of the Income-tax Act,—

Amendment
of section 79.

(i) in sub-section (2), after clause (e), the following clause shall be inserted, namely:—

“(f) to an erstwhile public sector company subject to the condition that the ultimate holding company of such company, immediately after the completion of strategic disinvestment, continues to hold, directly or through its subsidiary or subsidiaries, at least fifty-one per cent. of the voting power of such company in aggregate.”;

(ii) after sub-section (2), the following sub-section shall be inserted, namely:—

“(3) Notwithstanding anything contained in sub-section (2), if the condition specified in clause (f) of the said sub-section is not complied with in any previous year after the completion of strategic disinvestment, the provisions of sub-section (1) shall apply for such previous year and subsequent previous years.”;

(iii) in the *Explanation*, after clause (i), the following clauses shall be inserted, namely:—

“(ia) “erstwhile public sector company” shall have the same meaning as assigned to it in clause (ii) of the *Explanation* to clause (d) of sub-section (1) of section 72A;

(ib) “strategic disinvestment” shall have the same meaning as assigned to it in clause (iii) of the *Explanation* to clause (d) of sub-section (1) of section 72A;’.

Insertion of
new section
79A.

No set off of
losses
consequent to
search,
requisition
and survey.

19. After section 79 of the Income tax Act, the following section shall be inserted, namely:—

‘79A. Notwithstanding anything contained in this Act, where consequent to a search under section 132 or a requisition under section 132A or a survey under section 133A other than under sub-section (2A) of that section, the total income of any previous year of an assessee includes any undisclosed income, no set off, against such undisclosed income, of any loss, whether brought forward or otherwise, or unabsorbed depreciation under sub-section (2) of section 32, shall be allowed to the assessee under any provision of this Act in computing his total income for such previous year.

Explanation.—For the purposes of this section, the expression “undisclosed income” means,—

(i) any income of the previous year represented, either wholly or partly, by any money, bullion, jewellery or other valuable article or thing or any entry in the books of account or other documents or transactions found in the course of a search under section 132 or a requisition under section 132A or a survey under section 133A other than under sub-section (2A) of that section, which has,—

(A) not been recorded on or before the date of search or requisition or survey, as the case may be, in the books of account or other documents maintained in the normal course relating to such previous year; or

(B) not been disclosed to the Principal Chief Commissioner or Chief Commissioner or Principal Commissioner or Commissioner before the date of search or requisition or survey, as the case may be; or

(ii) any income of the previous year represented, either wholly or partly, by any entry in respect of an expense recorded in the books of account or other documents maintained in the normal course relating to the previous year which is found to be false and which would not have been found to be so, had the search not been initiated or the survey not been conducted or the requisition not been made.’.

Amendment
of section
80CCD.

20. In section 80CCD of the Income-tax Act, in sub-section (2), for the words “Central Government” wherever they occur, the words “Central Government or the State Government” shall be substituted and shall be deemed to have been substituted with effect from the 1st day of April, 2020.

Amendment
of section
80DD.

21. In section 80DD of the Income-tax Act, with effect from the 1st day of April, 2023,—

(I) in sub-section (2), for clause (a), the following clause shall be substituted, namely:—

“(a) the scheme referred to in clause (b) of sub-section (I) provides for payment of annuity or lump sum amount for the benefit of a dependant, being a person with disability,—

(i) in the event of the death of the individual or the member of the Hindu undivided family in whose name subscription to the scheme has been made; or

(ii) on attaining the age of sixty years or more by such individual or the member of the Hindu undivided family, and the payment or deposit to such scheme has been discontinued;”;

(II) after sub-section (3), the following sub-section shall be inserted, namely:—

“(3A) The provisions of sub-section (3) shall not apply to the amount received by the dependant, being a person with disability, before his death, by way of annuity or lump sum by application of the condition referred to in sub-clause (ii) of clause (a) of sub-section (2).”.

22. In section 80-IAC of the Income-tax Act, in the *Explanation* below sub-section (4), in clause (ii), in sub-clause (a), for the figures “2022”, the figures “2023” shall be substituted.

Amendment of section 80-IAC.

23. In section 80LA of the Income-tax Act, in sub-section (2), in clause (d), with effect from the 1st day of April, 2023,—

Amendment of section 80LA.

(i) after the words “being an aircraft”, the words “or a ship” shall be inserted;

(ii) in the *Explanation*, for the words ‘this clause, “aircraft” shall’, the words ‘this clause, “aircraft” and “ship” shall’ shall be substituted.

24. In section 92CA of the Income-tax Act, in sub-section (9), in the proviso, for the figures “2022”, the figures “2024” shall be substituted.

Amendment of section 92CA.

25. In section 94 of the Income-tax Act, with effect from the 1st day of April, 2023,—

Amendment of section 94.

(i) in sub-section (8), for the word “units” wherever it occurs, the words “securities or units” shall be substituted;

(ii) in the *Explanation*,—

(a) for clause (aa), the following clause shall be substituted, namely:—

‘(aa) “record date” means such date as may be fixed by—

(i) a company;

(ii) a Mutual Fund or the Administrator of the specified undertaking or the specified company referred to in the *Explanation* to clause (35) of section 10; or

(iii) a business trust defined in clause (13A) of section 2; or

(iv) an Alternative Investment Fund defined in clause (b) of sub-regulation (1) of regulation 2 of the Securities and Exchange Board of India (Alternative Investment Funds) Regulations, 2012, made under the Securities and Exchange Board of India Act, 1992,

for the purposes of entitlement of the holder of the securities or units, as the case may be, to receive dividend, income, or additional securities or units without any consideration, as the case may be;’

(b) for clause (d), the following clause shall be substituted, namely:—

‘(d) “unit” shall mean,—

(i) a unit of a business trust defined in clause (13A) of section 2;

(ii) a unit defined in clause (b) of the *Explanation* to section 115AB; or

(iii) beneficial interest of an investor in an Alternative Investment Fund, defined in clause (b) of sub-regulation (1) of regulation 2 of the Securities and Exchange Board of India (Alternative Investment Funds) Regulations, 2012, made under the Securities and Exchange Board of India Act, 1992, and shall include shares or partnership interests.’

26. In section 115BAB of the Income-tax Act, in sub-section (2), in clause (a), for the figures “2023”, the figures “2024” shall be substituted.

Amendment of section 115BAB.

27. In section 115BBD of the Income-tax Act, after sub-section (3), the following sub-section shall be inserted with effect from the 1st day of April, 2023, namely:—

Amendment of section 115BBD.

15 of 1992.

15 of 1992.

“(4) The provisions of this section shall not apply to any assessment year beginning on or after the 1st day of April, 2023.”.

Insertion of
new sections
115BBH and
115BBI.

28. After section 115BBG of the Income-tax Act, the following sections shall be inserted with effect from the 1st day of April, 2023, namely:—

Tax on
income from
virtual digital
asset.

‘115BBH. (1) Where the total income of an assessee includes any income from the transfer of any virtual digital asset, notwithstanding anything contained in any other provision of this Act, the income-tax payable shall be the aggregate of,—

(a) the amount of income-tax calculated on the income from transfer of such virtual digital asset at the rate of thirty per cent.; and

(b) the amount of income-tax with which the assessee would have been chargeable, had the total income of the assessee been reduced by the income referred to in clause (a).

(2) Notwithstanding anything contained in any other provision of this Act,—

(a) no deduction in respect of any expenditure (other than cost of acquisition, if any) or allowance or set off of any loss shall be allowed to the assessee under any provision of this Act in computing the income referred to in clause (a) of sub-section (1); and

(b) no set off of loss from transfer of the virtual digital asset computed under clause (a) of sub-section (1) shall be allowed against income computed under any provision of this Act to the assessee and such loss shall not be allowed to be carried forward to succeeding assessment years.

(3) For the purposes of this section, the word “transfer” as defined in clause (47) of section 2, shall apply to any virtual digital asset, whether capital asset or not.

Specified
income of
certain
institutions.

115BBI. (1) Where the total income of an assessee, being a person in receipt of income on behalf of any fund or institution referred to in sub-clause (iv) or any trust or institution referred to in sub-clause (v) or any university or other educational institution referred to in sub-clause (vi) or any hospital or other medical institution referred to in sub-clause (via), of clause (23C) of section 10 or any trust or institution referred to in section 11, includes any income by way of any specified income, notwithstanding anything contained in any other provision of this Act, the income-tax payable shall be the aggregate of,—

(i) the amount of income-tax calculated at the rate of thirty per cent. on the aggregate of such specified income; and

(ii) the amount of income-tax with which the assessee would have been chargeable had the total income of the assessee been reduced by the aggregate of specified income referred to in clause (i).

(2) Notwithstanding anything contained in this Act, no deduction in respect of any expenditure or allowance or set off of any loss shall be allowed to the assessee under any provision of this Act in computing the specified income referred to in clause (i) of sub-section (1).

Explanation.—For the purposes of this section, “specified income” means,—

(a) income accumulated or set apart in excess of fifteen per cent. of the income where such accumulation is not allowed under any specific provision of this Act; or

(b) deemed income referred to in *Explanation 4* to the third proviso to clause (23C) of section 10, or sub-section (1B) or sub-section (3) of section 11; or

(c) any income, which is not exempt under clause (23C) of section 10 on account of violation of the provisions of clause (b) of the third proviso of

clause (23C) of section 10, or not to be excluded from the total income under the provisions of clause (d) of sub-section (1) of section 13; or

(d) any income which is deemed to be income under the twenty-first proviso to clause (23C) of section 10 or which is not excluded from the total income under clause (c) of sub-section (1) of section 13; or

(e) any income which is not excluded from the total income under clause (c) of sub-section (1) of section 11.’.

29. In section 115JC of the Income-tax Act, for sub-section (4), the following sub-section shall be substituted with effect from the 1st day of April, 2023, namely:— Amendment
of section
115JC.

‘(4) Notwithstanding anything contained in sub-section (1), where the person referred to therein, is a—

(i) unit located in an International Financial Services Centre and derives its income solely in convertible foreign exchange, the provisions of sub-section (1) shall have effect as if for the words “eighteen and one-half per cent.”, the words “nine per cent.” had been substituted;

(ii) co-operative society, the provisions of sub-section (1) shall have effect as if for the words “eighteen and one-half per cent.”, the words “fifteen per cent.” had been substituted.’.

30. In section 115JF of the Income-tax Act, in clause (b), for sub-clause (i), the following sub-clauses shall be substituted with effect from the 1st day of April, 2023, namely:— Amendment
of section
115JF.

‘(i) in case of an assessee being a unit referred to in clause (i) of sub-section (4) of section 115JC, at the rate of nine per cent.;

(ia) in case of an assessee, being a co-operative society referred to in clause (ii) of sub-section (4) of section 115JC, at the rate of fifteen per cent.;’.

31. In section 115TD of the Income-tax Act, with effect from the 1st day of April, 2023,— Amendment
of section
115TD.

(a) for sub-sections (1), (2) and (3), the following shall be substituted, namely:—

“(1) Notwithstanding anything contained in this Act, where in any previous year, a specified person has—

(a) converted into any form which is not eligible for grant of registration under section 12AA or section 12AB, or approval under sub-clause (iv) or sub-clause (v) or sub-clause (vi) or sub-clause (via) of clause (23C) of section 10;

(b) merged with any entity other than an entity which is a trust or institution having objects similar to it and registered under section 12AA or section 12AB or approved under sub-clause (iv) or sub-clause (v) or sub-clause (vi) or sub-clause (via) of clause (23C) of section 10; or

(c) failed to transfer upon dissolution all its assets to any other specified person within a period of twelve months from the end of the month in which the dissolution takes place,

then, in addition to the income-tax chargeable in respect of the total income of such specified person, the accreted income of the specified person as on the specified date shall be charged to tax and such specified person shall be liable to pay additional income-tax (herein referred to as tax on accreted income) at the maximum marginal rate on the accreted income.

(2) The accreted income for the purposes of sub-section (1) means the amount by which the aggregate fair market value of the total assets of the

specified person, as on the specified date, exceeds the total liability of such specified person, computed in accordance with the method of valuation, as may be prescribed:

Provided that so much of the accreted income as is attributable to the following asset and liability, if any, related to such asset, shall be ignored for the purposes of sub-section (1), namely:—

(i) any asset which is established to have been directly acquired by the specified person out of its income of the nature referred to in clause (1) of section 10;

(ii) any asset acquired by the specified person during the period beginning from the date of its creation or establishment and ending on the date from which the registration under section 12AA or section 12AB or approval under clause (23C) of section 10 became effective, if the specified person has not been allowed any benefit of sections 11 and 12 or sub-clause (iv) or sub-clause (v) or sub-clause (vi) or sub-clause (via) of clause (23C) of section 10 during the said period:

Provided further that where due to the provisions of the first proviso or the second proviso to sub-section (2) of section 12A or the eighth proviso to clause (23C) of section 10, the benefit of sections 11 and 12, or sub-clause (iv) or sub-clause (v) or sub-clause (vi) or sub-clause (via) of clause (23C) of section 10 have been allowed to the specified person in respect of any previous year or years beginning prior to the date from which the registration under section 12AA or section 12AB or approval under clause (23C) of section 10 is effective, then, for the purposes of clause (ii) of the first proviso, the registration or approval shall be deemed to have become effective from the first day of the earliest previous year:

Provided also that while computing the accreted income in respect of a case referred to in clause (c) of sub-section (1), assets and liabilities, if any, related to such asset, which have been transferred to any other specified person within the period specified in the said clause, shall be ignored.

(3) For the purposes of sub-section (1), a specified person shall be deemed to have been converted into any form not eligible for registration under section 12AA or section 12AB or approval under sub-clause (iv) or sub-clause (v) or sub-clause (vi) or sub-clause (via) of clause (23C) of section 10 in a previous year, if,—

(i) the registration or approval granted to it under section 12AA, or section 12AB, or sub-clause (iv) or sub-clause (v) or sub-clause (vi) or sub-clause (via) of clause (23C) of section 10, has been cancelled; or

(ii) it has adopted or undertaken modification of its objects which do not conform to the conditions of registration and it—

(a) has not applied for fresh registration under section 12AA, or section 12AB, or approval under sub-clause (iv) or sub-clause (v) or sub-clause (vi) or sub-clause (via) of clause (23C) of section 10 in the said previous year; or

(b) has filed application for fresh registration under section 12AA, or section 12AB, or approval under sub-clause (iv) or sub-clause (v) or sub-clause (vi) or sub-clause (via) of clause (23C) of section 10 but the said application has been rejected.”;

(b) in sub-sections (4), (5), (6) and (7), for the words “trust or the institution” and the words “trust or institution” wherever they occur, the words “specified person” shall be substituted;

(c) in the *Explanation*,—

(I) in clause (i), in sub-clause (a), for the word, figures and letters “section 12AB”, the words, figures, letters and brackets “section 12AB, or approval under sub-clause (iv) or sub-clause (v) or sub-clause (vi) or sub-clause (via) of clause (23C) of section 10” shall be substituted;

(II) after clause (ii), the following clause shall be inserted, namely:—

‘(iii) “specified person” means—

(a) any fund or institution or trust or any university or other educational institution or any hospital or other medical institution referred to in sub-clause (iv) or sub-clause (v) or sub-clause (vi) or sub-clause (via) of clause (23C) of section 10; or

(b) a trust or institution registered under section 12AA or section 12AB;’.

32. In section 115TE of the Income-tax Act, with effect from the 1st day of April, 2023,—

Amendment
of section
115TE.

(a) in the marginal heading, for the words “trust or institution”, the words “specified person” shall be substituted;

(b) for the words “trust or the institution” at both the places where they occur, the words “specified person” shall be substituted;

(c) the following *Explanation* shall be inserted, namely:—

‘*Explanation*.—For the purposes of this section, “specified person” shall have the same meaning as assigned to in clause (iii) of the *Explanation* to section 115TD.’.

33. In section 115TF of the Income-tax Act, with effect from the 1st day of April, 2023,—

Amendment
of section
115TF.

(a) in the marginal heading, for the words “trust or institution”, the words “specified person” shall be substituted;

(b) in sub-section (I), for the words “trust or the institution” at both the places where they occur, the words “specified person” shall be substituted;

(c) the following *Explanation* shall be inserted, namely:—

‘*Explanation*.—For the purposes of this section, “specified person” shall have the same meaning as assigned to in clause (iii) of the *Explanation* to section 115TD.’.

34. In section 119 of the Income-tax Act, in sub-section (2), in clause (a), after the figures and letter “234E,”, the figures and letter “234F,” shall be inserted.

Amendment
of section
119.

35. In section 132 of the Income-tax Act, in sub-section (8), for the words “order of assessment under”, the words, brackets and figures “order of assessment or reassessment or recomputation under sub-section (3) of section 143 or section 144 or section 147 or” shall be substituted.

Amendment
of section
132.

36. In section 132B of the Income-tax Act,—

Amendment
of section
132B.

(i) in sub-section (I), in clause (i), for the words, figures and letter “completion of the assessment under section 153A”, the words “completion of the assessment or reassessment or recomputation” shall be substituted;

(ii) in sub-section (4), in clause (b), for the words, figures and letters “under section 153A or under Chapter XIV-B”, the words “or reassessment or recomputation” shall be substituted.

Amendment
of section
133A.

37. In section 133A of the Income-tax Act, in the *Explanation* occurring after sub-section (6), in clause (a), for the long line, the following long line shall be substituted, namely:—

“who is subordinate to the Principal Director General or the Director General or the Principal Chief Commissioner or the Chief Commissioner, as may be specified by the Board;”.

Amendment
of section
139.

38. In section 139 of the Income-tax Act,—

(i) after sub-section (8), the following sub-section shall be inserted, namely:—

“(8A) Any person, whether or not he has furnished a return under sub-section (1) or sub-section (4) or sub-section (5), for an assessment year (herein referred to as the relevant assessment year), may furnish an updated return of his income or the income of any other person in respect of which he is assessable under this Act, for the previous year relevant to such assessment year, in the prescribed form, verified in such manner and setting forth such particulars as may be prescribed, at any time within twenty-four months from the end of the relevant assessment year:

Provided that the provision of this sub-section shall not apply, if the updated return,—

(a) is a return of a loss; or

(b) has the effect of decreasing the total tax liability determined on the basis of return furnished under sub-section (1) or sub-section (4) or sub-section (5); or

(c) results in refund or increases the refund due on the basis of return furnished under sub-section (1) or sub-section (4) or sub-section (5),

of such person under this Act for the relevant assessment year:

Provided further that a person shall not be eligible to furnish an updated return under this sub-section, where—

(a) a search has been initiated under section 132 or books of account or other documents or any assets are requisitioned under section 132A in the case of such person; or

(b) a survey has been conducted under section 133A, other than sub-section (2A) of that section, in the case such person; or

(c) a notice has been issued to the effect that any money, bullion, jewellery or valuable article or thing, seized or requisitioned under section 132 or section 132A in the case of any other person belongs to such person; or

(d) a notice has been issued to the effect that any books of account or documents, seized or requisitioned under section 132 or section 132A in the case of any other person, pertain or pertains to, or any other information contained therein, relate to, such person,

for the assessment year relevant to the previous year in which such search is initiated or survey is conducted or requisition is made and any assessment year preceding such assessment year:

Provided also that no updated return shall be furnished by any person for the relevant assessment year, where—

(a) an updated return has been furnished by him under this sub-section for the relevant assessment year; or

(b) any proceeding for assessment or reassessment or recomputation or revision of income under this Act is pending or has been completed for the relevant assessment year in his case; or

(c) the Assessing Officer has information in respect of such person for the relevant assessment year in his possession under the Smugglers and Foreign Exchange Manipulators (Forfeiture of Property) Act, 1976 or the Prohibition of Benami Property Transactions Act, 1988 or the Prevention of Money-laundering Act, 2002 or the Black Money (Undisclosed Foreign Income and Assets) and Imposition of Tax Act, 2015 and the same has been communicated to him, prior to the date of furnishing of return under this sub-section; or

(d) information for the relevant assessment year has been received under an agreement referred to in section 90 or section 90A in respect of such person and the same has been communicated to him, prior to the date of furnishing of return under this sub-section; or

(e) any prosecution proceedings under the Chapter XXII have been initiated for the relevant assessment year in respect of such person, prior to the date of furnishing of return under this sub-section; or

(f) he is such person or belongs to such class of persons, as may be notified by the Board in this regard:

Provided also that if any person has sustained a loss in any previous year and has furnished a return of loss in the prescribed form within the time allowed under sub-section (1) and verified in the prescribed manner and containing such other particulars as may be prescribed, he shall be allowed to furnish an updated return where such updated return is a return of income:

Provided also that if the loss or any part thereof carried forward under Chapter VI or unabsorbed depreciation carried forward under sub-section (2) of section 32 or tax credit carried forward under section 115JAA or under section 115JD is to be reduced for any subsequent previous year as a result of furnishing of return of income under this sub-section for a previous year, an updated return shall be furnished for each such subsequent previous year.”;

(ii) in sub-section (9), in the *Explanation*, after clause (c), the following clause shall be inserted, namely:—

“(ca) the return is accompanied by the proof of payment of tax as required under section 140B, if the return of income is a return furnished under sub-section (8A);”.

39. After section 140A of the Income-tax Act, the following section shall be inserted, namely:—

Insertion of new section 140B.

‘140B. (1) Where no return of income under sub-section (1) or sub-section (4) of section 139 has been furnished by an assessee and tax is payable, on the basis of return to be furnished by such assessee under sub-section (8A) of section 139, after taking into account,—

Tax on updated return.

(i) the amount of tax, if any, already paid as advance tax;

(ii) any tax deducted or collected at source;

(iii) any relief of tax claimed under section 89;

(iv) any relief of tax or deduction of tax claimed under section 90 or section 91 on account of tax paid in a country outside India;

(v) any relief of tax claimed under section 90A on account of tax paid in any specified territory outside India referred to in that section; and

(vi) any tax credit claimed to be set off in accordance with the provisions of section 115JAA or section 115JD,

the assessee shall be liable to pay such tax together with interest and fee payable under any of the provisions of this Act for any delay in furnishing the return or any default or delay in payment of advance tax, along with the payment of additional income-tax computed in accordance with sub-section (3), before furnishing the return and the return shall be accompanied by proof of payment of such tax, additional income-tax, interest and fee.

(2) Where, return of income under sub-section (1) or sub-section (4) or sub-section (5) of section 139 (referred to as earlier return) has been furnished by an assessee and tax is payable on the basis of return to be furnished by such assessee under sub-section (8A) of section 139,—

(a) after taking into account,—

(i) the amount of relief or tax referred to in sub-section (1) of section 140A, the credit for which has been taken in the earlier return;

(ii) tax deducted or collected at source, in accordance with the provisions of Chapter XVII-B, on any income which is subject to such deduction or collection and which is taken into account in computing total income and which has not been included in the earlier return;

(iii) any relief of tax or deduction of tax claimed under section 90 or section 91 on account of tax paid in a country outside India on such income which has not been included in the earlier return;

(iv) any relief of tax claimed under section 90A on account of tax paid in any specified territory outside India referred to in that section on such income which has not been included in the earlier return;

(v) any tax credit claimed, to be set off in accordance with the provisions of section 115JAA or section 115JD, which has not been claimed in the earlier return; and

(b) as increased by the amount of refund, if any, issued in respect of such earlier return,

the assessee shall be liable to pay such tax together with interest payable under any provision of this Act for any default or delay in payment of advance tax along with the payment of additional income-tax, as computed in accordance with sub-section (3), as reduced by the amount of interest paid under the provisions of this Act in the earlier return, before furnishing the return and the return shall be accompanied by proof of payment of such tax, additional income-tax, interest and fee.

(3) For the purposes of sub-sections (1) and (2), the additional income-tax payable at the time of furnishing the return under sub-section (8A) of section 139 shall be equal to,—

(i) twenty-five per cent. of aggregate of tax and interest payable, as determined in sub-section (1) or sub-section (2), as the case may be, if such return is furnished after expiry of the time available under sub-section (4) or sub-section (5) of section 139 and before completion of the period of twelve months from the end of the relevant assessment year; or

(ii) fifty per cent. of aggregate of tax and interest payable, as determined in sub-section (1) or sub-section (2), as the case may be, if such return is furnished after the expiry of twelve months from the end of the relevant assessment year but before completion of the period of twenty-four months from the end of the relevant assessment year.

Explanation.—For the purposes of computation of “additional income-tax”, tax shall include surcharge and cess, by whatever name called, on such tax.

(4) Notwithstanding anything contained in *Explanation 1* to section 234B, for the purposes of sub-section (2), interest payable under section 234B shall be computed on an amount equal to the assessed tax or, as the case may be, on the amount by which the advance tax paid falls short of the assessed tax, where, “assessed tax” means the tax on the total income as declared in the return to be furnished under sub-section (8A) of section 139,—

(a) after taking into account,—

(i) the amount of relief or tax referred to in sub-section (1) of section 140A, the credit for which has been claimed in the earlier return;

(ii) tax deducted or collected at source, in accordance with the provisions of Chapter XVII-B, on any income which is subject to such deduction or collection and which is taken into account in computing such total income, which has not been included in the earlier return;

(iii) any relief of tax or deduction of tax claimed under section 90 or section 91 on account of tax paid in a country outside India on such income which has not been included in the earlier return;

(iv) any relief of tax claimed under section 90A on account of tax paid in any specified territory outside India referred to in that section on such income which has not been included in the earlier return;

(v) any tax credit claimed, to be set off in accordance with the provisions of section 115JAA or section 115JD, which has not been claimed in the earlier return; and

(b) as increased by the amount of refund, if any, issued in respect of such earlier return.

(5) If any difficulty arises in giving effect to the provisions of this section, the Board may, with the approval of the Central Government, by notification in the Official Gazette, issue guidelines for the purpose of removing the difficulty.

(6) Every guideline issued under sub-section (5) shall be laid before each House of Parliament.

Explanation.—For the purposes of this section,—

(i) interest payable under section 234A, for the purposes of sub-section (1), shall be computed on the amount of tax on the total income as declared in the return, under sub-section (8A) of section 139, in accordance with the provisions of sub-section (1A) of section 140A;

(ii) interest payable under section 234C, for the purposes of sub-section (2), shall be computed after taking into account the total income furnished in the return under sub-section (8A) of section 139 as the returned income;

(iii) interest payable, for the purposes of sub-section (3), shall be the interest chargeable under any provision of this Act, on the income as per return furnished under sub-section (8A) of section 139, as reduced by interest paid, in accordance with the earlier return, if any;

Provided that for the purposes of this clause, the interest paid in the earlier return shall be nil if such return is an updated return referred to in sub-section (1).

40. In section 143 of the Income-tax Act, in sub-section (3),—

(a) for the first proviso, the following proviso shall be substituted, namely:—

“Provided that in the case of a—

(a) research association referred to in clause (21) of section 10;

(b) news agency referred to in clause (22B) of section 10;

(c) association or institution referred to in clause (23A) of section 10;

(d) institution referred to in clause (23B) of section 10,

Amendment
of section
143.

which is required to furnish the return of income under sub-section (4C) of section 139, no order making an assessment of the total income or loss of such research association, news agency, association or institution, shall be made by the Assessing Officer, without giving effect to the provisions of section 10, unless—

(i) the Assessing Officer has intimated the Central Government or the prescribed authority the contravention of the provisions of clause (21) or clause (22B) or clause (23A) or clause (23B), as the case may be, by such research association, news agency, association or institution, where in his view such contravention has taken place; and

(ii) the approval granted to such research association or other association or institution has been withdrawn or notification issued in respect of such news agency or association or institution has been rescinded.”;

(b) in the second proviso, for the words “Provided further”, the following shall be substituted, namely:—

“Provided further that where the Assessing Officer is satisfied that any fund or institution referred to in sub-clause (iv) or trust or institution referred to in sub-clause (v) or any university or other educational institution referred to in sub-clause (vi) or any hospital or other medical institution referred to in sub-clause (via), of clause (23C) of section 10, or any trust or institution referred to in section 11, has committed any specified violation as defined in *Explanation 2* to the fifteenth proviso to clause (23C) of section 10 or the *Explanation* to sub-section (4) of section 12AB, as the case may be, he shall—

(a) send a reference to the Principal Commissioner or Commissioner to withdraw the approval or registration, as the case may be; and

(b) no order making an assessment of the total income or loss of such fund or institution or trust or any university or other educational institution or any hospital or other medical institution shall be made by him without giving effect to the order passed by the Principal Commissioner or Commissioner under clause (ii) or clause (iii) of the fifteenth proviso to clause (23C) of section 10 or clause (ii) or clause (iii) of sub-section (4) of section 12AB:

Provided also”;

(c) the third proviso shall be omitted.

Amendment
of section
144.

41. In section 144 of the Income-tax Act, in sub-section (1), in clause (a), after the words, brackets and figure “or sub-section (5)”, the words, brackets, figure and letter “or an updated return under sub-section (8A)” shall be inserted.

Amendment
of section
144B.

42. In section 144B of the Income-tax Act,—

(a) for sub-sections (1) to (8), the following sub-sections shall be substituted, namely:—

“(1) Notwithstanding anything to the contrary contained in any other provision of this Act, the assessment, reassessment or recomputation under sub-section (3) of section 143 or under section 144 or under section 147, as the case may be, with respect to the cases referred to in sub-section (2), shall be made in a faceless manner as per the following procedure, namely:—

(i) the National Faceless Assessment Centre shall assign the case selected for the purposes of faceless assessment under this section to a specific assessment unit through an automated allocation system;

(ii) the National Faceless Assessment Centre shall intimate the assessee that assessment in his case shall be completed in accordance with the procedure laid down under this section;

(iii) a notice shall be served on the assessee, through the National Faceless Assessment Centre, under sub-section (2) of section 143 or under sub-section (1) of section 142 and the assessee may file his response to such notice within the date specified therein, to the National Faceless Assessment Centre which shall forward the same to the assessment unit;

(iv) where a case is assigned to the assessment unit, under clause (i), it may make a request through the National Faceless Assessment Centre for—

(a) obtaining such further information, documents or evidence from the assessee or any other person, as it may specify;

(b) conducting of enquiry or verification by verification unit;

(c) seeking technical assistance in respect of determination of arm's length price, valuation of property, withdrawal of registration, approval, exemption or any other technical matter by referring to the technical unit;

(v) where a request under sub-clause (a) of clause (iv) has been initiated by the assessment unit, the National Faceless Assessment Centre shall serve appropriate notice or requisition on the assessee or any other person for obtaining the information, documents or evidence requisitioned by the assessment unit and the assessee or any other person, as the case may be, shall file his response to such notice within the time specified therein or such time as may be extended on the basis of an application in this regard, to the National Faceless Assessment Centre which shall forward the reply to the assessment unit;

(vi) where a request,—

(a) for conducting of enquiry or verification by the verification unit has been made by the assessment unit under sub-clause (b) of clause (iv), the request shall be assigned by the National Faceless Assessment Centre to a verification unit through an automated allocation system; or

(b) for reference to the technical unit has been made by the assessment unit under sub-clause (c) of clause (iv), the request shall be assigned by the National Faceless Assessment Centre to a technical unit through an automated allocation system;

(vii) the National Faceless Assessment Centre shall send the report received from the verification unit or the technical unit, as the case may be, based on the request referred to in clause (vi) to the concerned assessment unit;

(viii) where the assessee fails to comply with the notice served under clause (v) or notice issued under sub-section (1) of section 142 or the terms of notice issued under sub-section (2) of section 143, the National Faceless Assessment Centre shall intimate such failure to the assessment unit;

(ix) the assessment unit shall serve upon such assessee, as referred to in clause (viii), a notice, through the National Faceless Assessment Centre, under section 144, giving him an opportunity to show-cause on a

date and time as specified in such notice as to why the assessment in his case should not be completed to the best of its judgment;

(x) the assessee shall, within the time specified in the notice referred to in clause (ix) or such time as may be extended on the basis of an application in this regard, file his response to the National Faceless Assessment Centre which shall forward the same to the assessment unit;

(xi) where the assessee fails to file response to the notice served under clause (ix) within the time specified therein or within the extended time, if any, the National Faceless Assessment Centre shall intimate such failure to the assessment unit;

(xii) the assessment unit shall, after taking into account all the relevant material available on the record, prepare, in writing,—

(a) an income or loss determination proposal, where no variation prejudicial to assessee is proposed and send a copy of such income or loss determination proposal to the National Faceless Assessment Centre; or

(b) in any other case, a show-cause notice stating the variations prejudicial to the interest of assessee proposed to be made to the income of the assessee and calling upon him to submit as to why the proposed variation should not be made and serve such show-cause notice, on the assessee, through the National Faceless Assessment Centre;

(xiii) the assessee shall file his reply to the show-cause notice served under sub-clause (b) of clause (xii) on a date and time as specified therein or such time as may be extended on the basis of an application made in this regard, to the National Faceless Assessment Centre, which shall forward the reply to the assessment unit;

(xiv) where the assessee fails to file response to the notice served under sub-clause (b) of clause (xii) within the time specified therein or within the extended time, if any, the National Faceless Assessment Centre shall intimate such failure to the assessment unit;

(xv) the assessment unit shall, after considering the response received under clause (xiii) or after receipt of intimation under clause (xiv), as the case may be, and taking into account all relevant material available on record, prepare an income or loss determination proposal and send the same to the National Faceless Assessment Centre;

(xvi) upon receipt of the income or loss determination proposal, as referred to in sub-clause (a) of clause (xii) or clause (xv), as the case may be, the National Faceless Assessment Centre may, on the basis of guidelines issued by the Board,—

(a) convey to the assessment unit to prepare draft order in accordance with the income or loss determination proposal, which shall thereafter prepare a draft order; or

(b) assign the income or loss determination proposal to a review unit through an automated allocation system, for conducting review of such proposal;

(xvii) the review unit shall conduct review of the income or loss determination proposal assigned to it by the National Faceless Assessment Centre, under sub-clause (b) of clause (xvi), whereupon it shall prepare a

review report and send the same to the National Faceless Assessment Centre;

(xviii) the National Faceless Assessment Centre shall, upon receiving the review report under clause (xvii), forward the same to the assessment unit which had proposed the income or loss determination proposal;

(xix) the assessment unit shall, after considering such review report, accept or reject some or all of the modifications proposed therein and after recording reasons in case of rejection of such modifications, prepare a draft order;

(xx) the assessment unit shall send such draft order prepared under sub-clause (a) of clause (xvi) or under clause (xix) to the National Faceless Assessment Centre;

(xxi) in case of an eligible assessee, where there is a proposal to make any variation which is prejudicial to the interest of such assessee, as mentioned in sub-section (1) under section 144C, the National Faceless Assessment Centre shall serve the draft order referred to in clause (xx) on the assessee;

(xxii) in any case other than that referred to in clause (xxi), the National Faceless Assessment Centre shall convey to the assessment unit to pass the final assessment order in accordance with such draft order, which shall thereafter pass the final assessment order and initiate penalty proceedings, if any, and send it to the National Faceless Assessment Centre;

(xxiii) upon receiving the final assessment order as per clause (xxii), the National Faceless Assessment Centre shall serve a copy of such order and notice for initiating penalty proceedings, if any, on the assessee, along with the demand notice, specifying the sum payable by, or refund of any amount due to, the assessee on the basis of such assessment;

(xxiv) where a draft order is served on the assessee as referred to in clause (xxi), such assessee shall,—

(a) file his acceptance of the variations proposed in such draft order to the National Faceless Assessment Centre; or

(b) file his objections, if any, to such variations, with—

(I) the Dispute Resolution Panel, and

(II) the National Faceless Assessment Centre,

within the period specified in sub-section (2) of section 144C;

(xxv) the National Faceless Assessment Centre shall,—

(a) upon receipt of acceptance from the eligible assessee; or

(b) if no objections are received from the eligible assessee, within the period specified in sub-section (2) of section 144C,

intimate the assessment unit to complete the assessment on the basis of the draft order;

(xxvi) the assessment unit shall, upon receipt of intimation under clause (xxv), pass the assessment order, in accordance with the relevant draft order, within the time allowed under sub-section (4) of section 144C and initiate penalty proceedings, if any, and send the order to the National Faceless Assessment Centre;

(xxvii) where the eligible assessee files objections with the Dispute Resolution Panel, under sub-clause (b) of clause (xxiv), the National Faceless Assessment Centre shall send such intimation along with a copy of objections filed to the assessment unit;

(xxviii) the National Faceless Assessment Centre shall, in a case referred to in clause (xxvii), upon receipt of the directions issued by the Dispute Resolution Panel under sub-section (5) of section 144C, forward such directions to the assessment unit;

(xxix) the assessment unit shall, in conformity with the directions issued by the Dispute Resolution Panel under sub-section (5) of section 144C, complete the assessment within the time allowed in sub-section (13) of section 144C and initiate penalty proceedings, if any, and send a copy of the assessment order to the National Faceless Assessment Centre;

(xxx) the National Faceless Assessment Centre shall, upon receipt of the assessment order referred to in clause (xxvi) or clause (xxix), as the case may be, serve a copy of such order and notice for initiating penalty proceedings, if any, on the assessee, along with the demand notice, specifying the sum payable by, or the amount of refund due to, the assessee on the basis of such assessment;

(xxxi) the National Faceless Assessment Centre shall, after completion of assessment, transfer all the electronic records of the case to the Assessing Officer having jurisdiction over the said case for such action as may be required under the provisions of this Act;

(xxxii) if at any stage of the proceedings before it, the assessment unit having regard to the nature and complexity of the accounts, volume of the accounts, doubts about the correctness of accounts, multiplicity of transactions in the accounts or specialised nature of business activity of the assessee, and the interests of the revenue, is of the opinion that it is necessary to do so, it may, upon recording its reasons in writing, refer the case to the National Faceless Assessment Centre stating that the provisions of sub-section (2A) of section 142 may be invoked and such case shall be dealt with in accordance with the provisions of sub-section (7).

(2) The faceless assessment under sub-section (1) shall be made in respect of such territorial area, or persons or class of persons, or incomes or class of incomes, or cases or class of cases, as may be specified by the Board.

(3) The Board may, for the purposes of faceless assessment, set up the following Centre and units and specify their functions and jurisdiction, namely:—

(i) a National Faceless Assessment Centre to facilitate the conduct of faceless assessment proceedings in a centralised manner;

(ii) such assessment units, as it may deem necessary to conduct the faceless assessment, to perform the function of making assessment, which includes identification of points or issues material for the determination of any liability (including refund) under this Act, seeking information or clarification on points or issues so identified, analysis of the material furnished by the assessee or any other person, and such other functions as may be required for the purposes of making faceless assessment, and the term “assessment unit”, wherever used in this section, shall refer to an Assessing Officer having powers so assigned by the Board;

(iii) such verification units, as it may deem necessary to facilitate the conduct of faceless assessment, to perform the function of verification,

which includes enquiry, cross verification, examination of books of account, examination of witnesses and recording of statements, and such other functions as may be required for the purposes of verification and the term “verification unit”, wherever used in this section, shall refer to an Assessing Officer having powers so assigned by the Board:

Provided that the function of verification unit under this section may also be performed by a verification unit located in any other faceless centre set up under the provisions of this Act or under any scheme notified under the provisions of this Act; and the request for verification may also be assigned through the National Faceless Assessment Centre to such verification unit;

(iv) such technical units, as it may deem necessary to facilitate the conduct of faceless assessment, to perform the function of providing technical assistance which includes any assistance or advice on legal, accounting, forensic, information technology, valuation, transfer pricing, data analytics, management or any other technical matter under this Act or an agreement entered into under section 90 or 90A, which may be required in a particular case or a class of cases, under this section and the term “technical unit”, wherever used in this section, shall refer to an Assessing Officer having powers so assigned by the Board;

(v) such review units, as it may deem necessary to facilitate the conduct of faceless assessment, to perform the function of review of the income determination proposal assigned under sub-clause (b) of clause (xvi) of sub-section (1), which includes checking whether the relevant and material evidence has been brought on record, relevant points of fact and law have been duly incorporated, the issues requiring addition or disallowance have been incorporated and such other functions as may be required for the purposes of review and the term “review unit”, wherever used in this section, shall refer to an Assessing Officer having powers so assigned by the Board;

(4) The assessment unit, verification unit, technical unit and the review unit shall have the following authorities, namely:—

(i) Additional Commissioner or Additional Director or Joint Commissioner or Joint Director, as the case may be;

(ii) Deputy Commissioner or Deputy Director or Assistant Commissioner or Assistant Director, or Income-tax Officer, as the case may be;

(iii) such other income-tax authority, ministerial staff, executive or consultant, as may be considered necessary by the Board.

(5) All communications,—

(i) among the assessment unit, review unit, verification unit or technical unit or with the assessee or any other person with respect to the information or documents or evidence or any other details, as may be necessary for the purposes of making a faceless assessment shall be through the National Faceless Assessment Centre;

(ii) between the National Faceless Assessment Centre and the assessee, or his authorised representative, or any other person shall be exchanged exclusively by electronic mode; and

(iii) between the National Faceless Assessment Centre and various units shall be exchanged exclusively by electronic mode:

Provided that the provisions of this sub-section shall not apply to the enquiry or verification conducted by the verification unit in the circumstances as may be specified by the Board in this behalf.

(6) For the purposes of faceless assessment—

(i) an electronic record shall be authenticated by—

(a) the National Faceless Assessment Centre by way of an electronic communication;

(b) the assessment unit or verification unit or technical unit or review unit, as the case may be, by affixing digital signature;

(c) assessee or any other person, by affixing his digital signature or under electronic verification code, or by logging into his registered account in the designated portal;

(ii) every notice or order or any other electronic communication shall be delivered to the addressee, being the assessee, by way of—

(a) placing an authenticated copy thereof in the registered account of the assessee; or

(b) sending an authenticated copy thereof to the registered email address of the assessee or his authorised representative; or

(c) uploading an authenticated copy on the Mobile App of the assessee,

and followed by a real time alert;

(iii) every notice or order or any other electronic communication shall be delivered to the addressee, being any other person, by sending an authenticated copy thereof to the registered email address of such person, followed by a real time alert;

(iv) the assessee shall file his response to any notice or order or any other electronic communication, through his registered account, and once an acknowledgement is sent by the National Faceless Assessment Centre containing the hash result generated upon successful submission of response, the response shall be deemed to be authenticated;

(v) the time and place of dispatch and receipt of electronic record shall be determined in accordance with the provisions of section 13 of the Information Technology Act, 2000;

21 of 2000.

(vi) a person shall not be required to appear either personally or through authorised representative in connection with any proceedings before any unit set up under this section;

(vii) in a case where a variation is proposed in the income or loss determination proposal or the draft order, and an opportunity is provided to the assessee by serving a notice calling upon him to show cause as to why the assessment should not be completed as per such income or loss determination proposal, the assessee or his authorised representative, as the case may be, may request for personal hearing so as to make his oral submissions or present his case before the income-tax authority of the relevant unit;

(viii) where the request for personal hearing has been received, the income-tax authority of relevant unit shall allow such hearing, through National Faceless Assessment Centre, which shall be conducted

exclusively through video conferencing or video telephony, including use of any telecommunication application software which supports video conferencing or video telephony, to the extent technologically feasible, in accordance with the procedure laid down by the Board;

(ix) subject to the proviso to sub-section (5), any examination or recording of the statement of the assessee or any other person (other than the statement recorded in the course of survey under section 133A) shall be conducted by an income-tax authority in the relevant unit, exclusively through video conferencing or video telephony, including use of any telecommunication application software which supports video conferencing or video telephony, to the extent technologically feasible, in accordance with the procedure laid down by the Board;

(x) the Board shall establish suitable facilities for video conferencing or video telephony including telecommunication application software which supports video conferencing or video telephony at such locations as may be necessary, so as to ensure that the assessee, or his authorised representative, or any other person is not denied the benefit of faceless assessment merely on the consideration that such assessee or his authorised representative, or any other person does not have access to video conferencing or video telephony at his end;

(xi) the Principal Chief Commissioner or the Principal Director General, as the case may be, in charge of the National Faceless Assessment Centre shall, with the prior approval of the Board, lay down the standards, procedures and processes for effective functioning of the National Faceless Assessment Centre and the units set up, in an automated and mechanised environment.

(7) (a) The Principal Chief Commissioner or the Principal Director General, as the case may be, in charge of the National Faceless Assessment Centre shall, in accordance with the procedure laid down by the Board in this regard, if he considers appropriate that the provisions of sub-section (2A) of section 142 may be invoked in the case,—

(i) forward the reference received from an assessment unit under clause (xxvii) of sub-section (1) to the Principal Chief Commissioner or Chief Commissioner or Principal Commissioner or Commissioner having jurisdiction over such case, and inform the assessment unit accordingly;

(ii) transfer the case to the Assessing Officer having jurisdiction over such case in accordance sub-section (8);

(b) where a reference has been received by the Principal Chief Commissioner or Chief Commissioner or Principal Commissioner or Commissioner under sub-clause (i) of clause (a), he shall direct the Assessing Officer, having jurisdiction over the case, to invoke the provisions of sub-section (2A) of section 142;

(c) where a reference has not been forwarded to the Principal Chief Commissioner or Chief Commissioner or Principal Commissioner or Commissioner, having jurisdiction over the case, in a case referred to in sub-clause (i) of clause (a), the assessment unit shall proceed to complete the assessment in accordance with the procedure laid down in this section.

(8) Notwithstanding anything contained in sub-section (1) or sub-section (2), the Principal Chief Commissioner or the Principal Director General, as the case may be, in charge of National Faceless Assessment Centre may, at any stage of the assessment, if considered necessary, transfer the case to the

Assessing Officer having jurisdiction over such case, with the prior approval of the Board.”;

(b) sub-section (9) shall be omitted and shall be deemed to have been omitted with effect from the 1st day of April, 2021;

(c) sub-section (10) shall be omitted;

(d) in the *Explanation*,—

(i) after clause (l), the following clause shall be inserted, namely:—

“(la) “electronic verification code” means a code generated for the purpose of electronic verification as per the data structure and standards specified by the Principal Director General or Director General, as the case may be, in charge of information technology;”;

(ii) clause (q) shall be omitted.

Amendment
of section
144C.

43. In section 144C of the Income-tax Act, in sub-section (14C), in the proviso, for the figures “2022”, the figures “2024” shall be substituted.

Amendment
of section
148.

44. In section 148 of the Income-tax Act,—

(i) after the proviso, the following proviso shall be inserted, namely:—

“Provided further that no such approval shall be required where the Assessing Officer, with the prior approval of the specified authority, has passed an order under clause (d) of section 148A to the effect that it is a fit case to issue a notice under this section.”;

(ii) in *Explanation 1*,—

(a) in clause (i), the word “flagged” shall be omitted;

(b) for clause (ii), the following clauses shall be substituted, namely:—

“(ii) any audit objection to the effect that the assessment in the case of the assessee for the relevant assessment year has not been made in accordance with the provisions of this Act; or

(iii) any information received under an agreement referred to in section 90 or section 90A of the Act; or

(iv) any information made available to the Assessing Officer under the scheme notified under section 135A; or

(v) any information which requires action in consequence of the order of a Tribunal or a Court.”;

(iii) in *Explanation 2*,—

(a) in clause (ii), the words, brackets and figure “or sub-section (5)” shall be omitted;

(b) in the long line, for the words “for the three assessment years immediately preceding the assessment year relevant to the previous year in which”, the word “where” shall be substituted and shall be deemed to have been substituted with effect from the 1st day of April, 2021.

Amendment
of section
148A.

45. In section 148A of the Income-tax Act,—

(i) in clause (b), the words “with the prior approval of specified authority,” shall be omitted;

(ii) in the proviso, in clause (c), for the words “relate to, the assessee.” the following shall be substituted, namely:—

“relate to, the assessee; or

(d) the Assessing Officer has received any information under the scheme notified under section 135A pertaining to income chargeable to tax escaping assessment for any assessment year in the case of the assessee.”.

46. After section 148A of the Income-tax Act, the following section shall be inserted, namely:—

Insertion of
new section
148B.

“148B. No order of assessment or reassessment or recomputation under this Act shall be passed by an Assessing Officer below the rank of Joint Commissioner, in respect of an assessment year to which clause (i) or clause (ii) or clause (iii) or clause (iv) of *Explanation 2* to section 148 apply except with the prior approval of the Additional Commissioner or Additional Director or Joint Commissioner or Joint Director.”.

Prior approval
for assessment,
reassessment or
recomputation
in certain cases.

47. In section 149 of the Income-tax Act, in sub-section (I),—

Amendment
of section
149.

(i) for clause (b), the following clause shall be substituted, namely:—

“(b) if three years, but not more than ten years, have elapsed from the end of the relevant assessment year unless the Assessing Officer has in his possession books of account or other documents or evidence which reveal that the income chargeable to tax, represented in the form of—

(i) an asset;

(ii) expenditure in respect of a transaction or in relation to an event or occasion; or

(iii) an entry or entries in the books of account,

which has escaped assessment amounts to or is likely to amount to fifty lakh rupees or more:”;

(ii) in the first proviso, for the words, brackets, letter and figure “such notice could not have been issued at that time on account of being beyond the time limit specified under the provisions of clause (b) of sub-section (I) of this section”, the words, figures, letters and brackets “a notice under section 148 or section 153A or section 153C could not have been issued at that time on account of being beyond the time limit specified under the provisions of clause (b) of sub-section (I) of this section or section 153A or section 153C, as the case may be” shall be substituted and shall be deemed to have been substituted with effect from the 1st day of April, 2021;

(iii) after sub-section (I), the following sub-section shall be inserted, namely:—

“(IA) Notwithstanding anything contained in sub-section (I), where the income chargeable to tax represented in the form of an asset or expenditure in relation to an event or occasion of the value referred to in clause (b) of sub-section (I), has escaped the assessment and the investment in such asset or expenditure in relation to such event or occasion has been made or incurred, in more than one previous years relevant to the assessment years within the period referred to in clause (b) of sub-section (I), a notice under section 148 shall be issued for every such assessment year for assessment, reassessment or recomputation, as the case may be.”.

48. In section 153 of the Income-tax Act,—

Amendment
of section
153.

(a) in sub-section (I), for the second proviso, the following proviso shall be substituted and shall be deemed to have been substituted with effect from the 1st day of April, 2021, namely:—

“Provided further that in respect of an order of assessment relating to the assessment year commencing on—

(i) the 1st day of April, 2019, the provisions of this sub-section shall have effect, as if for the words “twenty-one months”, the words “twelve months” had been substituted;

(ii) the 1st day of April, 2020, the provisions of this sub-section shall have effect, as if for the words "twenty-one months", the words "eighteen months" had been substituted:";

(b) after sub-section (1), the following sub-section shall be inserted, namely:—

“(1A) Notwithstanding anything contained in sub-section (1), where a return under sub-section (8A) of section 139 is furnished, an order of assessment under section 143 or section 144 may be made at any time before the expiry of nine months from the end of the financial year in which such return was furnished.”;

(c) in sub-section (3),—

(i) after the words “fresh assessment”, the words, figures and letters “or fresh order under section 92CA, as the case may be,” shall be inserted;

(ii) after the words “cancelling an assessment,”, the words, figures and letters “or an order under section 92CA, as the case may be” shall be inserted;

(d) in sub-section (5),—

(i) after the words “Assessing Officer” wherever they occur, the words “or the Transfer Pricing Officer, as the case may be,” shall be inserted;

(ii) after the words “fresh assessment or reassessment”, the words, figures and letters “or fresh order under section 92CA, as the case may be,” shall be inserted;

(e) after sub-section (5), the following sub-section shall be inserted, namely:—

“(5A) Where the Transfer Pricing Officer gives effect to an order or direction under section 263 by an order under section 92CA and forwards such order to the Assessing Officer, the Assessing Officer shall proceed to modify the order of assessment or reassessment or recomputation, in conformity with such order of the Transfer Pricing Officer, within two months from the end of the month in which such order of the Transfer Pricing Officer is received by him.”;

(f) in sub-section (6), for the words, brackets and figures “sub-sections (3) and (5)”, the words, brackets, figures and letter “sub-sections (3), (5) and (5A)” shall be substituted;

(g) in *Explanation 1*,—

(I) in clause (iii), for the words, brackets, figures and letters "or sub-clause (iv) or sub-clause (v) or sub-clause (vi) or sub-clause (via) of clause (23C) of section 10, under clause (i) of the proviso", the words, brackets and figure ",under clause (i) of the first proviso" shall be substituted;

(II) in clause (xi), for the words "Assessing Officer," the following shall be substituted and shall be deemed to have been substituted with effect from the 1st day of April, 2021, namely:—

"Assessing Officer; or

(xii) the period (not exceeding one hundred and eighty days) commencing from the date on which a search is initiated under section 132 or a requisition is made under section 132A and ending on the date on which the books of account or other documents, or any money, bullion, jewellery or other valuable article or thing seized under section 132 or requisitioned under section 132A, as the case may be, are handed over to the Assessing Officer having jurisdiction over the assessee,—

(a) in whose case such search is initiated under section 132 or such requisition is made under section 132A; or

(b) to whom any money, bullion, jewellery or other valuable article or thing seized or requisitioned belongs to; or

(c) to whom any books of account or documents seized or requisitioned pertains or pertains to, or any information contained therein, relates to; or";

(III) after clause (xii), before the long line, the following clause shall be inserted, namely:—

"(xiii) the period commencing from the date on which the Assessing Officer makes a reference to the Principal Commissioner or Commissioner under the second proviso to sub-section (3) of section 143 and ending with the date on which the copy of the order under clause (ii) or clause (iii) of the fifteenth proviso to clause (23C) of section 10 or clause (ii) or clause (iii) of sub-section (4) of section 12AB, as the case may be, is received by the Assessing Officer,".

49. In section 153B of the Income-tax Act,—

Amendment
of section
153B.

(a) in sub-section (1), after the fifth proviso, the following proviso shall be inserted and shall be deemed to have been inserted with effect from the 1st day of April, 2021, namely:—

"Provided also that in a case where the last of the authorisations for search under section 132 or requisition under section 132A was executed during the financial year commencing on the 1st day of April, 2020 or in case of other person referred to in section 153C, the books of account or document or assets seized or requisitioned were handed over under section 153C to the Assessing Officer having jurisdiction over such other person during the financial year commencing on the 1st day of April, 2020, the assessment in such cases for the assessment year commencing on the 1st day of April, 2021 shall be made on or before the 30th day of September, 2022.";

(b) after sub-section (3), the following sub-section shall be inserted, namely:—

"(4) Nothing contained in this section shall apply to any search initiated under section 132 or requisition made under section 132A on or after the 1st day of April, 2021.";

(c) in the *Explanation*,—

(i) in clause (x), for the words "Assessing Officer," the words "Assessing Officer; or" shall be substituted and shall be deemed to have been substituted with effect from the 1st day of April, 2021;

(ii) after clause (x), the following clause shall be inserted and shall be deemed to have been inserted with effect from the 1st day of April, 2021, namely:—

"(xi) the period (not exceeding one hundred and eighty days) commencing from the date on which a search is initiated under section 132 or a requisition is made under section 132A and ending on the date on which the books of account, or other documents or money or bullion or jewellery or other valuable article or thing seized under section 132 or requisitioned under section 132A, as the case may be, are handed over to the Assessing Officer having jurisdiction over the assessee, in whose case such search is initiated under section 132 or such requisition is made under section 132A, as the case may be,".

50. In section 155 of the Income-tax Act, after sub-section (17) and before the *Explanation*, the following sub-section shall be inserted, namely:—

Amendment
of section
155.

"(18) Where any deduction in respect of any surcharge or cess, which is not allowable as deduction under section 40, has been claimed and allowed in the case of an assessee in any previous year, such claim shall be deemed to be under-reported income of the assessee for such previous year for the purposes of sub-section (3) of section 270A, notwithstanding anything contained in sub-section (6) of section 270A, and the Assessing Officer shall recompute the total income of the assessee for such previous year and make necessary amendment; and the provisions of section 154 shall, so far as may be, apply thereto, the period of four years specified in sub-section (7) of section 154 being reckoned from the end of the previous year commencing on the 1st day of April, 2021:

Provided that in a case where the assessee makes an application to the Assessing Officer in the prescribed form and within the prescribed time, requesting for

recomputation of the total income of the previous year without allowing the claim for deduction of surcharge or cess and pays the amount due thereon within the specified time, such claim shall not be deemed to be under-reported income for the purposes of sub-section (3) of section 270A."

Insertion of new section 156A.

Modification and revision of notice in certain cases.

51. After section 156 of the Income-tax Act, the following section shall be inserted, namely:—

"156A. (1) Where any tax, interest, penalty, fine or any other sum in respect of which a notice of demand has been issued under section 156, is reduced as a result of an order of the Adjudicating Authority as defined in clause (1) of section 5 of the Insolvency and Bankruptcy Code, 2016, the Assessing Officer shall modify the demand payable in conformity with such order and shall thereafter serve on the assessee a notice of demand specifying the sum payable, if any, and such notice of demand shall be deemed to be a notice under section 156 and the provisions of this Act shall accordingly, apply in relation to such notice.

31 of 2016.

(2) Where the order referred to in sub-section (1) is modified by the National Company Law Appellate Tribunal or the Supreme Court, as the case may be, the modified notice of demand as referred to in sub-section (1), issued by the Assessing Officer shall be revised accordingly."

Amendment of section 158AA.

52. In section 158AA of the Income-tax Act, in sub-section (1), the following proviso shall be inserted, namely:—

"Provided that no such direction shall be given on or after the 1st day of April, 2022."

Insertion of new section 158AB.

Procedure where an identical question of law is pending before High Courts or Supreme Court.

53. After section 158AA of the Income-tax Act, the following section shall be inserted, namely:—

'158AB. (1) Notwithstanding anything contained in this Act, where the collegium is of the opinion that—

(a) any question of law arising in the case of an assessee for any assessment year (such case being herein referred to as the relevant case) is identical with a question of law arising,—

(i) in his case for any other assessment year; or

(ii) in the case of any other assessee for any assessment year; and

(b) such question is pending before the jurisdictional High Court under section 260A or the Supreme Court in an appeal under section 261 or in a special leave petition under article 136 of the Constitution, against the order of the Appellate Tribunal or the jurisdictional High Court, as the case may be, which is in favour of such assessee (such case being herein referred to as the other case),

the collegium may, decide and inform the Principal Commissioner or Commissioner not to file any appeal, at this stage, to the Appellate Tribunal under sub-section (2) of section 253 or to the jurisdictional High Court under sub-section (2) of section 260A in the relevant case against the order of the Commissioner (Appeals) or the Appellate Tribunal, as the case may be.

(2) The Principal Commissioner or the Commissioner shall, on receipt of a communication from the collegium under sub-section (1), notwithstanding anything contained in sub-section (3) of section 253 or clause (a) of sub-section (2) of section 260A, direct the Assessing Officer to make an application to the Appellate Tribunal or the jurisdictional High Court, as the case may be, in such form as may be prescribed within a period of one hundred and twenty days from the date of receipt of the order of the Commissioner (Appeals) or of the Appellate Tribunal, as the case may be, stating that an appeal on the question of law arising in the relevant case may be filed when the decision on such question of law becomes final in the other case.

(3) The Principal Commissioner or Commissioner shall direct the Assessing Officer to make an application under sub-section (2) only if an acceptance is received from the assessee to the effect that the question of law in the other case is identical to

that arising in the relevant case; and in case no such acceptance is received, the Principal Commissioner or Commissioner shall, notwithstanding anything contained in sub-section (3) of section 253 or clause (a) of sub-section (2) of section 260A, proceed in accordance with the provisions contained in sub-section (2) of section 253 or in clause (c) of sub-section (2) of section 260A.

(4) Where the order of the Commissioner (Appeals) or the order of the Appellate Tribunal, as the case may be, referred to in sub-section (1) is not in conformity with the final decision on the question of law in the other case, as and when such order is received, the Principal Commissioner or Commissioner may direct the Assessing Officer to appeal to the Appellate Tribunal or the jurisdictional High Court, as the case may be, against such order and save as otherwise provided in this section all other provisions of Part B and Part CC of Chapter XX shall apply accordingly.

(5) Every appeal under sub-section (4) shall be filed within a period of sixty days to the Appellate Tribunal or one hundred and twenty days to the High Court, as the case may be, from the date on which the order of the jurisdictional High Court or the Supreme Court in the other case is communicated to the Principal Commissioner or the Commissioner (having jurisdiction over the relevant case), in accordance with the procedure specified by the Board in this behalf.

Explanation.—For the purposes of this section, "collegium" means a collegium comprising of two or more Chief Commissioners or Principal Commissioners or Commissioners, as may be specified by the Board in this behalf.'

54. In section 170 of the Income-tax Act, after sub-section (2), the following sub-section shall be inserted, namely:—

Amendment of section 170.

'(2A) Notwithstanding anything contained in sub-sections (1) and (2), where there is succession, the assessment or reassessment or any other proceedings, made or initiated on the predecessor during the course of pendency of such succession, shall be deemed to have been made or initiated on the successor and all the provisions of this Act shall, so far as may be, apply accordingly.

Explanation.—For the purposes of this sub-section, the term "pendency" means the period commencing from the date of filing of application for such succession of business before the High Court or tribunal or the date of admission of an application for corporate insolvency resolution by the Adjudicating Authority as defined in clause (1) of section 5 of the Insolvency and Bankruptcy Code, 2016 and ending with the date on which the order of such High Court or tribunal or such Adjudicating Authority, as the case may be, is received by the Principal Commissioner or the Commissioner.'

31 of 2016.

55. After section 170 of the Income-tax Act, the following section shall be inserted, namely:—

Insertion of new section 170A.

'170A. Notwithstanding anything to the contrary contained in section 139, in a case of business reorganisation, where prior to the date of order of a High Court or tribunal or an Adjudicating Authority as defined in clause (1) of section 5 of the Insolvency and Bankruptcy Code, 2016, as the case may be, any return of income has been furnished by the successor under the provisions of section 139 for any assessment year relevant to the previous year to which such order applies, such successor shall furnish, within a period of six months from the end of the month in which the said order was issued, a modified return in such form and manner, as may be prescribed, in accordance with and limited to the said order.

Effect of order of tribunal of court in respect of business reorganisation.

31 of 2016.

Explanation.—In this section, the expressions—

(i) "business reorganisation" means the reorganisation of business involving the amalgamation or de-merger or merger of business of one or more persons;

(ii) "successor" means all resulting companies in a business reorganisation, whether or not the company was in existence prior to such business reorganisation.'

56. In section 179 of the Income-tax Act,—

Amendment of section 179.

(a) in the marginal heading, the words "in liquidation" shall be omitted;

(b) in the *Explanation*, after the word "interest", the word ", fees" shall be inserted.

Amendment
of section
194-IA.

57. In section 194-IA of the Income-tax Act,—

(i) in sub-section (1), after the words "one per cent. of such sum", the words "or the stamp duty value of such property, whichever is higher," shall be inserted;

(ii) in sub-section (2), for the words "immovable property is", the words "immovable property and the stamp duty value of such property, are both," shall be substituted;

(iii) in the *Explanation*, after clause (b), the following clause shall be inserted, namely:—

'(c) "stamp duty value" shall have the same meaning as assigned to it in clause (f) of the *Explanation* to clause (vii) of sub-section (2) of section 56.'

Amendment
of section
194-IB.

58. In section 194-IB of the Income-tax Act, in sub-section (4), the words, figures and letters "or section 206AB" shall be omitted.

Insertion of
new section
194R.

59. After section 194Q of the Income-tax Act, the following section shall be inserted with effect from the 1st day of July, 2022, namely:—

Deduction of
tax on benefit
or perquisite
in respect of
business or
profession.

'194R. (1) Any person responsible for providing to a resident, any benefit or perquisite, whether convertible into money or not, arising from business or the exercise of a profession, by such resident, shall, before providing such benefit or perquisite, as the case may be, to such resident, ensure that tax has been deducted in respect of such benefit or perquisite at the rate of ten per cent. of the value or aggregate of value of such benefit or perquisite:

Provided that in a case where the benefit or perquisite, as the case may be, is wholly in kind or partly in cash and partly in kind but such part in cash is not sufficient to meet the liability of deduction of tax in respect of whole of such benefit or perquisite, the person responsible for providing such benefit or perquisite shall, before releasing the benefit or perquisite, ensure that tax required to be deducted has been paid in respect of the benefit or perquisite:

Provided further that the provisions of this section shall not apply in case of a resident where the value or aggregate of value of the benefit or perquisite provided or likely to be provided to such resident during the financial year does not exceed twenty thousand rupees:

Provided also that the provisions of this section shall not apply to a person being an individual or a Hindu undivided family, whose total sales, gross receipts or turnover does not exceed one crore rupees in case of business or fifty lakh rupees in case of profession, during the financial year immediately preceding the financial year in which such benefit or perquisite, as the case may be, is provided by such person.

(2) If any difficulty arises in giving effect to the provisions of this section, the Board may, with the previous approval of the Central Government, issue guidelines for the purpose of removing the difficulty.

(3) Every guideline issued by the Board under sub-section (2) shall, as soon as may be after it is issued, be laid before each House of Parliament, and shall be binding on the income-tax authorities and on the person providing any such benefit or perquisite.

Explanation.—For the purposes of this section, the expression "person responsible for providing" means the person providing such benefit or perquisite, or in case of a company, the company itself including the principal officer thereof.'

Insertion of
new section
194S.

60. After section 194R of the Income-tax Act, the following section shall be inserted with effect from the 1st day of July, 2022, namely:—

Payment on
transfer of
virtual digital
asset.

'194S. (1) Any person responsible for paying to any resident any sum by way of consideration for transfer of a virtual digital asset, shall, at the time of credit of such sum to the account of the resident or at the time of payment of such sum by any mode, whichever is earlier, deduct an amount equal to one per cent. of such sum as income-tax thereon:

Provided that in a case where the consideration for transfer of virtual digital asset is—

(a) wholly in kind or in exchange of another virtual digital asset, where there is no part in cash; or

(b) partly in cash and partly in kind but the part in cash is not sufficient to meet the liability of deduction of tax in respect of whole of such transfer,

the person responsible for paying such consideration shall, before releasing the consideration, ensure that tax required to be deducted has been paid in respect of such consideration for the transfer of virtual digital asset.

(2) The provisions of sections 203A and 206AB shall not apply to a specified person.

(3) Notwithstanding anything contained in sub-section (1), no tax shall be deducted in a case, where—

(a) the consideration is payable by a specified person and the value or aggregate value of such consideration does not exceed fifty thousand rupees during the financial year; or

(b) the consideration is payable by any person other than a specified person and the value or aggregate value of such consideration does not exceed ten thousand rupees during the financial year.

(4) Notwithstanding anything contained in section 194-O, in case of a transaction to which the provisions of the said section are also applicable along with the provisions of this section, then, tax shall be deducted under sub-section (1).

(5) Where any sum referred to in sub-section (1) is credited to any account, whether called "Suspense Account" or by any other name, in the books of account of the person liable to pay such sum, such credit of the sum shall be deemed to be the credit of such sum to the account of the payee and the provisions of this section shall apply accordingly.

(6) If any difficulty arises in giving effect to the provisions of this section, the Board may, with the prior approval of the Central Government, issue guidelines for the purposes of removing the difficulty.

(7) Every guideline issued by the Board under sub-section (6) shall be laid before each House of Parliament, and shall be binding on the income-tax authorities and on the person responsible for paying the consideration on transfer of such virtual digital asset.

Explanation.—For the purposes of this section "specified person" means a person,—

(a) being an individual or a Hindu undivided family, whose total sales, gross receipts or turnover from the business carried on by him or profession exercised by him does not exceed one crore rupees in case of business or fifty lakh rupees in case of profession, during the financial year immediately preceding the financial year in which such virtual digital asset is transferred;

(b) being an individual or a Hindu undivided family, not having any income under the head "Profits and gains of business or profession".

61. In section 201 of the Income-tax Act, in sub-section (1A), after the proviso, the following proviso shall be inserted, namely:—

"Provided further that where an order is made by the Assessing Officer for the default under sub-section (1), the interest shall be paid by the person in accordance with such order."

Amendment
of section
201.

Amendment
of section
206AB.

62. In section 206AB of the Income-tax Act,—

(a) in sub-section (1),—

(i) for the figures, letters and word "194LBC or 194N", the figures, letters and word "194-IA, 194-IB, 194LBC, 194M or 194N" shall be substituted;

(ii) the brackets and words "(hereafter referred to as deductee)" shall be omitted;

(b) in sub-section (3), for the portion beginning with the words "filed the returns of income" and ending with the words "each of these two previous years:", the following shall be substituted, namely:—

"furnished the return of income for the assessment year relevant to the previous year immediately preceding the financial year in which tax is required to be deducted, for which the time limit for furnishing the return of income under sub-section (1) of section 139 has expired and the aggregate of tax deducted at source and tax collected at source in his case is rupees fifty thousand or more in the said previous year:".

Amendment
of section
206C.

63. In section 206C of the Income-tax Act, in sub-section (7), after the proviso, the following proviso shall be inserted, namely:—

"Provided further that where an order is made by the Assessing Officer for the default under sub-section (6A), the interest shall be paid by the person in accordance with such order:".

Amendment
of section
206CCA.

64. In section 206CCA of the Income-tax Act,—

(a) in sub-section (1), the brackets and words "(hereafter referred to as collectee)" shall be omitted;

(b) in sub-section (3), for the portion beginning with the words "filed the returns of income" and ending with the words "each of these two previous years:", the following shall be substituted, namely:—

"furnished the return of income for the assessment year relevant to the previous year immediately preceding the financial year in which tax is required to be collected, for which the time limit for furnishing the return of income under sub-section (1) of section 139 has expired and the aggregate of tax deducted at source and tax collected at source in his case is rupees fifty thousand or more in the said previous year:".

Amendment
of section
234A.

65. In section 234A of the Income-tax Act, in sub-section (1),—

(i) after the words, brackets and figure "or sub-section (4)", the words, brackets, figure and letter "or sub-section (8A)" shall be inserted;

(ii) for *Explanation 2*, the following *Explanation* shall be substituted, namely:—

'*Explanation 2.*—In this sub-section,—

(i) "tax on total income as determined under sub-section (1) of section 143" shall not include the additional income-tax, if any, payable under section 140B or section 143; and

(ii) tax on the total income determined under regular assessment shall not include the additional income-tax payable under section 140B.'.

Amendment
of section
234B.

66. In section 234B of the Income-tax Act, in sub-section (1), for *Explanation 3*, the following *Explanation* shall be substituted, namely:—

'Explanation 3.—In Explanation 1 and in sub-section (3),—

(i) "tax on total income as determined under sub-section (1) of section 143" shall not include the additional income-tax, if any, payable under section 140B or section 143; and

(ii) tax on the total income determined under such regular assessment shall not include the additional income-tax payable under section 140B.'.

67. After section 239 of the Income-tax Act, the following section shall be inserted, namely:—

Insertion of new section 239A.

"239A. (1) Where under an agreement or other arrangement, in writing, the tax deductible on any income, other than interest, under section 195 is to be borne by the person by whom the income is payable, and such person having paid such tax to the credit of the Central Government claims that no tax was required to be deducted on such income, may, within a period of thirty days from the date of payment of such tax, file an application before the Assessing Officer for refund of such tax in such form and such manner as may be prescribed.

Refund for denying liability to deduct tax in certain cases.

(2) The Assessing Officer shall, by an order in writing, allow or reject the application:

Provided that no application under sub-section (1) shall be rejected unless an opportunity of being heard has been given to the applicant.

(3) The Assessing Officer may, before passing an order under sub-section (2), make such inquiry as he considers necessary.

(4) The order under sub-section (2) shall be passed within six months from the end of the month in which application under sub-section (1) is received."

68. In section 245MA of the Income-tax Act, after sub-section (2), the following sub-section shall be inserted, namely:—

Amendment of section 245MA.

"(2A) Notwithstanding anything contained in section 144C, upon receipt of the order of the Dispute Resolution Committee under this section, the Assessing Officer shall,—

(a) in a case where the specified order is a draft of the proposed order of assessment under sub-section (1) of section 144C, pass an order of assessment, reassessment or recomputation; or

(b) in any other case, modify the order of assessment, reassessment or recomputation,

in conformity with the directions contained in the order of the Dispute Resolution Committee within a period of one month from the end of the month in which such order is received."

69. In section 246A of the Income-tax Act, in sub-section (1), after clause (i), the following clause shall be inserted, namely:—

Amendment of section 246A.

"(ia) an order made under section 239A;"

70. In section 248 of the Income-tax Act, the following proviso shall be inserted, namely:—

Amendment of section 248.

"Provided that no appeal shall be filed where tax is paid to the credit of the Central Government on or after the 1st day of April, 2022."

Amendment
of section
253.

71. In section 253 of the Income-tax Act, in sub-section (9), in the proviso, for the figures "2022", the figures "2024" shall be substituted.

Amendment
of section
255.

72. In section 255 of the Income-tax Act, in sub-section (8), in the proviso, for the figures "2023", the figures "2024" shall be substituted.

Amendment
of section
263.

73. In section 263 of the Income-tax Act, in sub-section (1),—

(a) after the words "Assessing Officer" wherever they occur, the words "or the Transfer Pricing Officer, as the case may be," shall be inserted;

(b) for the words "including an order enhancing or modifying the assessment, or cancelling the assessment and directing a fresh assessment", the following shall be substituted, namely:—

"including,—

(i) an order enhancing or modifying the assessment or cancelling the assessment and directing a fresh assessment; or

(ii) an order modifying the order under section 92CA; or

(iii) an order cancelling the order under section 92CA and directing a fresh order under the said section.";

(c) in *Explanation 1*, in clause (a), after sub-clause (ii), the following sub-clause shall be inserted, namely:—

"(iii) an order under section 92CA by the Transfer Pricing Officer;"

(d) after *Explanation 2*, the following *Explanation* shall be inserted, namely:—

'*Explanation 3.*—For the purposes of this section, "Transfer Pricing Officer" shall have the same meaning as assigned to it in the *Explanation* to section 92CA.'

Amendment
of section
271AAB.

74. In section 271AAB of the Income-tax Act,—

(a) in sub-section (1), in the opening portion, after the words "The Assessing Officer", the words and brackets "or the Commissioner (Appeals)" shall be inserted;

(b) in sub-section (1A), in the opening portion, after the words "The Assessing Officer", the words and brackets "or the Commissioner (Appeals)" shall be inserted;

(c) in the *Explanation*, in clause (a), for the words, figures and letter "under section 153A", the words, figures and letter "under section 148 or under section 153A, as the case may be," shall be substituted and shall be deemed to have been substituted with effect from 1st April, 2021.

Amendment
of section
271AAC.

75. In section 271AAC of the Income-tax Act, in sub-section (1), after the words "The Assessing Officer", the words and brackets "or the Commissioner (Appeals)" shall be inserted.

Amendment
of section
271AAD.

76. In section 271AAD of the Income-tax Act,—

(i) in sub-section (1), in the long line, after the words "the Assessing Officer", the words and brackets "or the Commissioner (Appeals)," shall be inserted;

(ii) in sub-section (2), after the words "the Assessing Officer", the words and brackets "or the Commissioner (Appeals)" shall be inserted.

Insertion of
new section
271AAE.

77. After section 271AAD of the Income-tax Act, the following section shall be inserted with effect from the 1st day of April, 2023, namely:—

"271AAE. Without prejudice to any other provision of this Chapter, if during any proceedings under this Act, it is found that a person, being any fund or institution referred to in sub-clause (iv) or any trust or institution referred to in sub-clause (v) or any university or other educational institution referred to in sub-clause (vi) or any hospital or other medical institution referred to in sub-clause (via) of clause (23C) of section 10, or any trust or institution referred to in section 11 has violated the provisions of the twenty-first proviso to clause (23C) of section 10, or clause (c) of sub-section (1) of section 13, as the case may be, the Assessing Officer may direct that such person shall pay by way of penalty—

Benefits to related persons.

(a) a sum equal to the aggregate amount of income applied, directly or indirectly, by such person, for the benefit of any person referred to in sub-section (3) of section 13, where the violation is noticed for the first time during any previous year; and

(b) a sum equal to two hundred per cent. of the aggregate amount of income of such person applied, directly or indirectly, by that person, for the benefit of any person referred to in sub-section (3) of section 13, where violation is noticed again in any subsequent previous year."

78. In section 271C of the Income-tax Act, in sub-section (1), in clause (b), in sub-clause (ii), the word "second" shall be omitted.

Amendment of section 271C.

79. In section 272A of the Income-tax Act, in sub-section (2), in the long line, for the words "one hundred rupees", the words "five hundred rupees" shall be substituted.

Amendment of section 272A.

80. In section 276AB of the Income-tax Act, after the proviso, the following proviso shall be inserted, namely:—

Amendment of section 276AB.

"Provided further that no proceeding under this section shall be initiated on or after the 1st day of April, 2022."

81. In section 276B of the Income-tax Act, in clause (b), in sub-clause (ii), the word "second" shall be omitted.

Amendment of section 276B.

82. In section 276CC of the Income-tax Act, in the proviso, in clause (ii), in sub-clause (a), after the words "expiry of the assessment year", the words, brackets, figures and letter "or a return is furnished by him under sub-section (8A) of section 139 within the time provided in that sub-section" shall be inserted.

Amendment of section 276CC.

83. In section 278A of the Income-tax Act, after the word, figures and letter "section 276B", the words, figures and letters "or section 276BB" shall be inserted.

Amendment of section 278A.

84. In section 278AA of the Income-tax Act, after the words, figures and letter "or section 276B", the words, figures and letters "or section 276BB" shall be inserted.

Amendment of section 278AA.

85. For section 285B of the Income-tax Act, the following section shall be substituted, namely:—

Substitution of new section for section 285B.

'285B. Any person carrying on the production of a cinematograph film or engaged in any specified activity, or both, during the whole or any part of any financial year shall, in respect of the period during which such production or specified activity is carried on by him in such financial year, furnish within the prescribed period, a statement in the prescribed form to the prescribed income-tax authority in the prescribed manner, containing particulars of all payments of over fifty thousand rupees in the aggregate made by him or due from him to each such person as is engaged by him in such production or specified activity.

Submission of statements by producers of cinematograph films or persons engaged in specified activity.

Explanation.—For the purposes of this section, "specified activity" means any event management, documentary production, production of programmes for telecasting on television or over the top platforms or any other similar platform, sports event management, other performing arts or any other activity as the Central Government may, by notification in the Official Gazette, specify in this behalf.'.

CHAPTER IV

INDIRECT TAXES

Customs

Amendment of section 2. **86.** In the Customs Act, 1962 (hereinafter referred to as the Customs Act), in section 2, 52 of 1962. in clause (34), after the words "Principal Commissioner of Customs or Commissioner of Customs", the words and figure "under section 5" shall be inserted.

Substitution of new section for section 3. **87.** For section 3 of the Customs Act, the following section shall be substituted, namely:—

Classes of officers of customs.

"3. There shall be the following classes of officers of customs, namely:—

(a) Principal Chief Commissioner of Customs or Principal Chief Commissioner of Customs (Preventive) or Principal Director General of Revenue Intelligence;

(b) Chief Commissioner of Customs or Chief Commissioner of Customs (Preventive) or Director General of Revenue Intelligence;

(c) Principal Commissioner of Customs or Principal Commissioner of Customs (Preventive) or Principal Additional Director General of Revenue Intelligence or Principal Commissioner of Customs (Audit);

(d) Commissioner of Customs or Commissioner of Customs (Preventive) or Additional Director General of Revenue Intelligence or Commissioner of Customs (Audit);

(e) Principal Commissioner of Customs (Appeals);

(f) Commissioner of Customs (Appeals);

(g) Additional Commissioner of Customs or Additional Commissioner of Customs (Preventive) or Additional Director of Revenue Intelligence or Additional Commissioner of Customs (Audit);

(h) Joint Commissioner of Customs or Joint Commissioner of Customs (Preventive) or Joint Director of Revenue Intelligence or Joint Commissioner of Customs (Audit);

(i) Deputy Commissioner of Customs or Deputy Commissioner of Customs (Preventive) or Deputy Director of Revenue Intelligence or Deputy Commissioner of Customs (Audit);

(j) Assistant Commissioner of Customs or Assistant Commissioner of Customs (Preventive) or Assistant Director of Revenue Intelligence or Assistant Commissioner of Customs (Audit);

(k) such other class of officers of customs as may be appointed for the purposes of this Act."

Amendment of section 5. **88.** In section 5 of the Customs Act,—

(a) after sub-section (I), the following sub-sections shall be inserted, namely:—

"(IA) Without prejudice to the provisions contained in sub-section (I), the Board may, by notification, assign such functions as it may deem fit, to an officer of customs, who shall be the proper officer in relation to such functions.

(1B) Within their jurisdiction assigned by the Board, the Principal Commissioner of Customs or Commissioner of Customs, as the case may be, may, by order, assign such functions, as he may deem fit, to an officer of customs, who shall be the proper officer in relation to such functions.”;

(b) after sub-section (3), the following sub-sections shall be inserted, namely:—

“(4) In specifying the conditions and limitations referred to in sub-section (1), and in assigning functions under sub-section (1A), the Board may consider any one or more of the following criteria, including, but not limited to—

- (a) territorial jurisdiction;
- (b) persons or class of persons;
- (c) goods or class of goods;
- (d) cases or class of cases;
- (e) computer assigned random assignment;
- (f) any other criterion as the Board may, by notification, specify.

(5) The Board may, by notification, wherever necessary or appropriate, require two or more officers of customs (whether or not of the same class) to have concurrent powers and functions to be performed under this Act.”.

89. In section 14 of the Customs Act, in sub-section (1), in the second proviso, after clause (iii), the following clause shall be inserted, namely:—

Amendment
of section 14.

“(iv) the additional obligations of the importer in respect of any class of imported goods and the checks to be exercised, including the circumstances and manner of exercising thereof, as the Board may specify, where, the Board has reason to believe that the value of such goods may not be declared truthfully or accurately, having regard to the trend of declared value of such goods or any other relevant criteria:”.

90. In section 28E of the Customs Act,—

Amendment of
section 28E.

- (a) in clause (c), the *Explanation* shall be omitted;
- (b) clause (h) shall be omitted.

91. In section 28H of the Customs Act,—

Amendment of
section 28H.

- (a) in sub-section (1), after the words “an application in such form and in such manner”, the words “and accompanied by such fee” shall be inserted;
- (b) sub-section (3) shall be omitted;
- (c) in sub-section (4), for the words “within thirty days from the date of the application”, the words “at any time before an advance ruling is pronounced” shall be substituted.

92. In section 28-I of the Customs Act, in sub-section (7), the words “by the Members” shall be omitted.

Amendment of
section 28-I.

93. In section 28J of the Customs Act, for sub-section (2), the following sub-section shall be substituted, namely:—

Amendment
of section 28J.

“(2) The advance ruling referred to in sub-section (1) shall remain valid for three years or till there is a change in law or facts on the basis of which the advance ruling has been pronounced, whichever is earlier:

Provided that in respect of any advance ruling in force on the date on which the Finance Bill, 2022 receives the assent of the President, the said period of three years shall be reckoned from the date on which the said Finance Bill receives the assent of the President.”.

Insertion of
new section
110AA.

94. After section 110A of the Customs Act, the following section shall be inserted, namely:—

Action
subsequent to
inquiry,
investigation
or audit or any
other specified
purpose.

“110AA. Where in pursuance of any proceeding, in accordance with Chapter XIIA or this Chapter, if an officer of customs has reasons to believe that—

(a) any duty has been short-levied, not levied, short-paid or not paid in a case where assessment has already been made;

(b) any duty has been erroneously refunded;

(c) any drawback has been erroneously allowed; or

(d) any interest has been short-levied, not levied, short-paid or not paid, or erroneously refunded,

then such officer of customs shall, after causing inquiry, investigation, or as the case may be, audit, transfer the relevant documents, along with a report in writing—

(i) to the proper officer having jurisdiction, as assigned under section 5 in respect of assessment of such duty, or to the officer who allowed such refund or drawback; or

(ii) in case of multiple jurisdictions, to an officer of customs to whom such matter is assigned by the Board, in exercise of the powers conferred under section 5,

and thereupon, power exercisable under sections 28, 28AAA or Chapter X, shall be exercised by such proper officer or by an officer to whom the proper officer is subordinate in accordance with sub-section (2) of section 5.”.

Insertion of
new section
135AA.
Protection of
data.

95. After section 135A of the Customs Act, the following section shall be inserted, namely:—

‘135AA. (1) If a person publishes any information, that is furnished to customs by an exporter or importer under this Act, relating to the value or classification or quantity of goods entered for export from India, or import into India, along with the identity of the persons involved or in a manner that leads to disclosure of such identity, unless required so to do under any law for the time being in force or by specific authorisation of such exporter or importer, he shall be punishable with imprisonment for a term which may extend to six months, or with fine which may extend to fifty thousand rupees, or with both.

(2) Nothing contained in this section shall apply to—

(a) any publication made by or on behalf of the Central Government;

(b) data sourced from any publication made by or on behalf of the Central Government for analysis of trends in India's international trade and dissemination thereof.

Explanation.—For the purposes of this section, the expression “publishes” includes reproducing the information in printed or electronic form and making it available for the public. ’.

Amendment of
section 137.

96. In section 137 of the Customs Act, in sub-section (1), after the words, figures and letter “or section 135A”, the words, figures and letters “or section 135AA” shall be inserted.

Validation of
certain actions
taken under
Customs Act.

97. Notwithstanding anything contained in any judgment, decree or order of any court, tribunal, or other authority, or in the provisions of the Customs Act, 1962 (hereinafter referred to as the Customs Act),—

(i) anything done or any duty performed or any action taken or purported to have been taken or done under Chapters V, VAA, VI, IX, X, XI, XII, XIIA, XIII, XIV, XVI and XVII of the Customs Act, as it stood prior to its amendment by this Act, shall be deemed to have been validly done or performed or taken;

(ii) any notification issued under the Customs Act for appointing or assigning functions to any officer shall be deemed to have been validly issued for all purposes, including for the purposes of section 6;

(iii) for the purposes of this section, sections 2, 3 and 5 of the Customs Act, as amended by this Act, shall have and shall always be deemed to have effect for all purposes as if the provisions of the Customs Act, as amended by this Act, had been in force at all material times.

Explanation. — For the purposes of this section, it is hereby clarified that any proceeding arising out of any action taken under this section and pending on the date of commencement of this Act shall be disposed of in accordance with the provisions of the Customs Act, as amended by this Act.

Customs Tariff

51 of 1975. **98.** In the Customs Tariff Act, 1975 (hereinafter referred to as the Customs Tariff Act), the First Schedule shall,— Amendment of First Schedule.

(a) be amended in the manner specified in the Second Schedule;

(b) with effect from the 1st May, 2022, be also amended in the manner specified in the Third Schedule.

Excise

1 of 1944. **99.** In the Central Excise Act, 1944 (hereinafter referred to as the Central Excise Act), the Fourth Schedule shall, with effect from the 1st May, 2022, be amended in the manner specified in the Fourth Schedule. Amendment of Fourth Schedule.

Central Goods and Services Tax

12 of 2017. **100.** In the Central Goods and Services Tax Act, 2017 (hereinafter referred to as the Central Goods and Services Tax Act), in section 16, — Amendment of section 16.

(a) in sub-section (2),—

(i) after clause (b), the following clause shall be inserted, namely:—

“(ba) the details of input tax credit in respect of the said supply communicated to such registered person under section 38 has not been restricted;”;

(ii) in clause (c), the words, figures and letter “or section 43A” shall be omitted;

(b) in sub-section (4), for the words and figures “due date of furnishing of the return under section 39 for the month of September”, the words “thirtieth day of November” shall be substituted.

101. In section 29 of the Central Goods and Services Tax Act, in sub-section (2),— Amendment of section 29.

(a) in clause (b), for the words “returns for three consecutive tax periods”, the words “the return for a financial year beyond three months from the due date of furnishing the said return” shall be substituted;

(b) in clause (c), for the words “a continuous period of six months”, the words “such continuous tax period as may be prescribed” shall be substituted.

102. In section 34 of the Central Goods and Services Tax Act, in sub-section (2), for the word “September”, the words “the thirtieth day of November” shall be substituted. Amendment of section 34.

Amendment
of section 37.

103. In section 37 of the Central Goods and Services Tax Act,—

(a) in sub-section (1), —

(i) after the words “shall furnish, electronically,” the words “subject to such conditions and restrictions and” shall be inserted;

(ii) for the words “shall be communicated to the recipient of the said supplies within such time and in such manner as may be prescribed”, the words “shall, subject to such conditions and restrictions, within such time and in such manner as may be prescribed, be communicated to the recipient of the said supplies” shall be substituted;

(iii) the first proviso shall be omitted;

(iv) in the second proviso, for the words “Provided further that”, the words “Provided that” shall be substituted;

(v) in the third proviso, for the words “Provided also that”, the words “Provided further that” shall be substituted;

(b) sub-section (2) shall be omitted;

(c) in sub-section (3),—

(i) the words and figures “and which have remained unmatched under section 42 or section 43” shall be omitted;

(ii) in the first proviso, for the words and figures “furnishing of the return under section 39 for the month of September”, the words “the thirtieth day of November” shall be substituted;

(d) after sub-section (3), the following sub-section shall be inserted, namely:—

“(4) A registered person shall not be allowed to furnish the details of outward supplies under sub-section (1) for a tax period, if the details of outward supplies for any of the previous tax periods has not been furnished by him:

Provided that the Government may, on the recommendations of the Council, by notification, subject to such conditions and restrictions as may be specified therein, allow a registered person or a class of registered persons to furnish the details of outward supplies under sub-section (1), even if he has not furnished the details of outward supplies for one or more previous tax periods.”.

Substitution of
new section
for section 38.

104. For section 38 of the Central Goods and Services Tax Act, the following section shall be substituted, namely:—

Communication
of details of
inward supplies
and input tax
credit.

“38. (1) The details of outward supplies furnished by the registered persons under sub-section (1) of section 37 and of such other supplies as may be prescribed, and an auto-generated statement containing the details of input tax credit shall be made available electronically to the recipients of such supplies in such form and manner, within such time, and subject to such conditions and restrictions as may be prescribed.

(2) The auto-generated statement under sub-section (1) shall consist of—

(a) details of inward supplies in respect of which credit of input tax may be available to the recipient; and

(b) details of supplies in respect of which such credit cannot be availed, whether wholly or partly, by the recipient, on account of the details of the said supplies being furnished under sub-section (1) of section 37,—

(i) by any registered person within such period of taking registration as may be prescribed; or

(ii) by any registered person, who has defaulted in payment of tax and where such default has continued for such period as may be prescribed; or

(iii) by any registered person, the output tax payable by whom in accordance with the statement of outward supplies furnished by him under the said sub-section during such period, as may be prescribed, exceeds the output tax paid by him during the said period by such limit as may be prescribed; or

(iv) by any registered person who, during such period as may be prescribed, has availed credit of input tax of an amount that exceeds the credit that can be availed by him in accordance with clause (a), by such limit as may be prescribed; or

(v) by any registered person, who has defaulted in discharging his tax liability in accordance with the provisions of sub-section (12) of section 49 subject to such conditions and restrictions as may be prescribed; or

(vi) by such other class of persons as may be prescribed. ”.

105. In section 39 of the Central Goods and Services Tax Act,—

Amendment
of section 39.

(a) in sub-section (5), for the word “twenty”, the word “thirteen” shall be substituted;

(b) in sub-section (7), for the first proviso, the following proviso shall be substituted, namely:—

“Provided that every registered person furnishing return under the proviso to sub-section (1) shall pay to the Government, in such form and manner, and within such time, as may be prescribed,—

(a) an amount equal to the tax due taking into account inward and outward supplies of goods or services or both, input tax credit availed, tax payable and such other particulars during a month; or

(b) in lieu of the amount referred to in clause (a), an amount determined in such manner and subject to such conditions and restrictions as may be prescribed. ”;

(c) in sub-section (9), —

(i) for the words and figures “Subject to the provisions of sections 37 and 38, if”, the word “Where” shall be substituted;

(ii) in the proviso, for the words “the due date for furnishing of return for the month of September or second quarter”, the words “the thirtieth day of November” shall be substituted;

(d) in sub-section (10), for the words “has not been furnished by him”, the following shall be substituted, namely:—

“or the details of outward supplies under sub-section (1) of section 37 for the said tax period has not been furnished by him:

Provided that the Government may, on the recommendations of the Council, by notification, subject to such conditions and restrictions as may be specified therein, allow a registered person or a class of registered persons to furnish the return, even if he has not furnished the returns for one or more previous tax periods or has not furnished the details of outward supplies under sub-section (1) of section 37 for the said tax period. ”.

Substitution of new section for section 41.

106. For section 41 of the Central Goods and Services Tax Act, the following section shall be substituted, namely:—

Availment of input tax credit.

“41. (1) Every registered person shall, subject to such conditions and restrictions as may be prescribed, be entitled to avail the credit of eligible input tax, as self-assessed, in his return and such amount shall be credited to his electronic credit ledger.

(2) The credit of input tax availed by a registered person under sub-section (1) in respect of such supplies of goods or services or both, the tax payable whereon has not been paid by the supplier, shall be reversed along with applicable interest, by the said person in such manner as may be prescribed:

Provided that where the said supplier makes payment of the tax payable in respect of the aforesaid supplies, the said registered person may re-avail the amount of credit reversed by him in such manner as may be prescribed.”

Omission of sections 42, 43 and 43A.

107. Sections 42, 43 and 43A of the Central Goods and Services Tax Act shall be omitted.

Amendment of section 47.

108. In section 47 of the Central Goods and Services Tax Act, in sub-section (1),—

(a) the words “or inward” shall be omitted;

(b) the words and figures “or section 38” shall be omitted;

(c) after the words and figures “section 39 or section 45”, the words and figures “or section 52” shall be inserted.

Amendment of section 48.

109. In section 48 of the Central Goods and Services Tax Act, in sub-section (2), the words and figures “, the details of inward supplies under section 38” shall be omitted.

Amendment of section 49.

110. In section 49 of the Central Goods and Services Tax Act,—

(a) in sub-section (2), the words, figures and letter “or section 43A” shall be omitted;

(b) in sub-section (4), after the words “subject to such conditions”, the words “and restrictions” shall be inserted;

(c) for sub-section (10), the following sub-section shall be substituted, namely:—

“(10) A registered person may, on the common portal, transfer any amount of tax, interest, penalty, fee or any other amount available in the electronic cash ledger under this Act, to the electronic cash ledger for,—

(a) integrated tax, central tax, State tax, Union territory tax or cess; or

(b) integrated tax or central tax of a distinct person as specified in sub-section (4) or, as the case may be, sub-section (5) of section 25,

in such form and manner and subject to such conditions and restrictions as may be prescribed and such transfer shall be deemed to be a refund from the electronic cash ledger under this Act:

Provided that no such transfer under clause (b) shall be allowed if the said registered person has any unpaid liability in his electronic liability register.”;

(d) after sub-section (11), the following sub-section shall be inserted, namely:—

“(12) Notwithstanding anything contained in this Act, the Government may, on the recommendations of the Council, subject to such conditions and restrictions, specify such maximum proportion of output tax liability under this Act or under the Integrated Goods and Services Tax Act, 2017 which may be discharged through the electronic credit ledger by a registered person or a class of registered persons, as may be prescribed.”.

111. In section 50 of the Central Goods and Services Tax Act, for sub-section (3), the following sub-section shall be substituted and shall be deemed to have been substituted with effect from the 1st day of July, 2017, namely:—

Amendment
of section 50.

“(3) Where the input tax credit has been wrongly availed and utilised, the registered person shall pay interest on such input tax credit wrongly availed and utilised, at such rate not exceeding twenty-four per cent. as may be notified by the Government, on the recommendations of the Council, and the interest shall be calculated, in such manner as may be prescribed.”.

112. In section 52 of the Central Goods and Services Tax Act, in sub-section (6), in the proviso, for the words “due date for furnishing of statement for the month of September”, the words “thirtieth day of November” shall be substituted.

Amendment
of section 52.

113. In section 54 of the Central Goods and Services Tax Act, —

Amendment
of section 54.

(a) in sub-section (1), in the proviso, for the words and figures “the return furnished under section 39 in such”, the words “such form and” shall be substituted;

(b) in sub-section (2), for the words “six months”, the words “two years” shall be substituted;

(c) in sub-section (10), the words, brackets and figure “under sub-section (3)” shall be omitted;

(d) in the *Explanation*, in clause (2), after sub-clause (b), the following sub-clause shall be inserted, namely:—

“(ba) in case of zero-rated supply of goods or services or both to a Special Economic Zone developer or a Special Economic Zone unit where a refund of tax paid is available in respect of such supplies themselves, or as the case may be, the inputs or input services used in such supplies, the due date for furnishing of return under section 39 in respect of such supplies;”.

114. In section 168 of the Central Goods and Services Tax Act, in sub-section (2), the words, brackets and figures “sub-section (2) of section 38,” shall be omitted.

Amendment of
section 168.

115. (1) The notification of the Government of India in the Ministry of Finance (Department of Revenue) number G. S. R. 58(E), dated the 23rd January, 2018, issued by the Central Government on the recommendations of the Council, under section 146 of the Central Goods and Services Tax Act, 2017 read with section 20 of the Integrated Goods and Services Tax Act, 2017, shall stand amended and shall be deemed to have been amended retrospectively, in the manner specified in column (2) of the Fifth Schedule, on and from the date specified in column (3) of that Schedule.

Amendment
of notification
issued under
section 146 of
Central Goods
and Services
Tax Act read
with section
20 of
Integrated
Goods and
Services Tax
Act,
retrospectively.

12 of 2017.

13 of 2017.

(2) For the purposes of sub-section (1), the Central Government shall have and shall be deemed to have the power to amend the notification referred to in the said sub-section with retrospective effect as if the Central Government had the power to amend the said notification under section 146 of the Central Goods and Services Tax Act, 2017 read with section 20 of the Integrated Goods and Services Tax Act, 2017, retrospectively, at all material times.

12 of 2017.

13 of 2017.

116. (1) The notification of the Government of India in the Ministry of Finance (Department of Revenue) number G. S. R. 661(E), dated the 28th June, 2017, issued by the Central Government on the recommendations of the Council, under sub-sections (1) and (3) of section 50, sub-section (12) of section 54 and section 56 of the Central Goods and Services Tax Act, 2017, shall stand amended and shall be deemed to have been amended retrospectively, in the manner specified in column (2) of the Sixth Schedule, on and from the date specified in column (3) of that Schedule.

Amendment
of notification
issued under
sub-sections
(1) and (3) of
section 50,
sub-section
(12) of section
54 and section
56 of Central
Goods and
Services Tax
Act,
retrospectively.

12 of 2017.

(2) For the purposes of sub-section (1), the Central Government shall have and shall be deemed to have the power to amend the notification referred to in the said sub-section with retrospective effect as if the Central Government had the power to amend the said

notification under sub-sections (1) and (3) of section 50, sub-section (12) of section 54 and section 56 of the Central Goods and Services Tax Act, 2017, retrospectively, at all material times. 12 of 2017.

Retrospective exemption from, or levy or collection of central tax in certain cases.

117. (1) Notwithstanding anything contained in the notification of the Government of India in the Ministry of Finance (Department of Revenue) number G. S. R. 673(E), dated the 28th June, 2017 issued by the Central Government, on the recommendations of the Council, in exercise of the powers under sub-section (1) of section 9 of the Central Goods and Services Tax Act, 2017, no central tax shall be levied or collected in respect of supply of unintended waste generated during the production of fish meal (falling under heading 2301), except for fish oil, during the period commencing from the 1st day of July, 2017 and ending with the 30th day of September, 2019 (both days inclusive) . 12 of 2017.

(2) No refund shall be made of all such tax which has been collected, but which would not have been so collected, had sub-section (1) been in force at all material times.

Retrospective effect to notification issued under sub-section (2) of section 7 of Central Goods and Services Tax Act.

118. (1) Subject to the provisions of sub-section (2), the notification of the Government of India in the Ministry of Finance (Department of Revenue) number G. S. R. 746(E), dated the 30th September, 2019 issued by the Central Government, on the recommendations of the Council, in exercise of the powers under sub-section (2) of section 7 of the Central Goods and Services Tax Act, 2017, shall be deemed to have, and always to have, for all purposes, come into force on and from the 1st day of July, 2017. 12 of 2017.

(2) No refund shall be made of all such central tax which has been collected, but which would not have been so collected, had the notification referred to in sub-section (1) been in force at all material times.

Integrated Goods and Services Tax

Amendment of notification issued under section 20 of Integrated Goods and Services Tax Act, read with sub-sections (1) and (3) of section 50, sub-section (12) of section 54 and section 56 of Central Goods and Services Tax Act, retrospectively.

119. (1) The notification of the Government of India in the Ministry of Finance (Department of Revenue) number G. S. R. 698(E), dated the 28th June, 2017, issued by the Central Government on the recommendations of the Council, under section 20 of the Integrated Goods and Services Tax Act, 2017 read with sub-sections (1) and (3) of section 50, sub-section (12) of section 54 and section 56 of the Central Goods and Services Tax Act, 2017, shall stand amended and shall be deemed to have been amended retrospectively, in the manner specified in column (2) of the Seventh Schedule, on and from the date specified in column (3) of that Schedule. 13 of 2017.

(2) For the purposes of sub-section (1), the Central Government shall have and shall be deemed to have the power to amend the notification referred to in the said sub-section with retrospective effect as if the Central Government had the power to amend the said notification under section 20 of the Integrated Goods and Services Tax Act, 2017 read with sub-sections (1) and (3) of section 50, sub-section (12) of section 54 and section 56 of the Central Goods and Services Tax Act, 2017, retrospectively, at all material times. 13 of 2017.
12 of 2017.

Retrospective exemption from, or levy or collection of integrated tax in certain cases.

120. (1) Notwithstanding anything contained in the notification of the Government of India in the Ministry of Finance (Department of Revenue) number G. S. R. 666(E), dated the 28th June, 2017 issued by the Central Government, on the recommendations of the Council, in exercise of the powers under sub-section (1) of section 5 of the Integrated Goods and Services Tax Act, 2017, no integrated tax shall be levied or collected in respect of supply of unintended waste generated during the production of fish meal (falling under heading 2301), except for fish oil, during the period commencing from the 1st day of July, 2017 and ending with the 30th day of September, 2019 (both days inclusive) . 13 of 2017.

(2) No refund shall be made of all such tax which has been collected, but which would not have been so collected, had sub-section (1) been in force at all material times.

121. (1) Subject to the provisions of sub-section (2), the notification of the Government of India in the Ministry of Finance (Department of Revenue) number G. S. R. 745(E), dated the 30th September, 2019 issued by the Central Government on the recommendations of the Council, in exercise of the powers under clause (i) of section 20 of the Integrated Goods and Services Tax Act, 2017, read with sub-section (2) of section 7 of the Central Goods and Services Tax Act, 2017, shall be deemed to have, and always to have, for all purposes, come into force on and from the 1st day of July, 2017.

13 of 2017.
12 of 2017.

Retrospective effect to notification issued under clause (i) of section 20 of Integrated Goods and Services Tax read with sub-section (2) of section 7 of Central Goods and Services Tax Act.

(2) No refund shall be made of all such integrated tax which has been collected, but which would not have been so collected, had the notification referred to in sub-section (1) been in force at all material times.

Union Territory Goods and Services Tax

122. (1) The notification of the Government of India in the Ministry of Finance (Department of Revenue) number G. S. R. 747 (E), dated the 30th June, 2017, issued by the Central Government on the recommendations of the Council, under section 21 of the Union Territory Goods and Services Tax Act, 2017 read with sub-sections (1) and (3) of section 50, sub-section (12) of section 54 and section 56 of the Central Goods and Services Tax Act, 2017, shall stand amended and shall be deemed to have been amended retrospectively, in the manner specified in column (2) of the Eighth Schedule, on and from the date specified in column (3) of that Schedule.

14 of 2017.
12 of 2017.

Amendment of notification issued under section 21 of Union Territory Goods and Services Tax Act read with sub-sections (1) and (3) of section 50, sub-section (12) of section 54 and section 56 of Central Goods and Services Tax Act, retrospectively.

(2) For the purposes of sub-section (1), the Central Government shall have and shall be deemed to have the power to amend the notification referred to in the said sub-section with retrospective effect as if the Central Government had the power to amend the said notification under section 21 of the Union Territory Goods and Services Tax Act, 2017 read with sub-sections (1) and (3) of section 50, sub-section (12) of section 54 and section 56 of the Central Goods and Services Tax Act, 2017, retrospectively, at all material times.

14 of 2017.
12 of 2017.

123. (1) Notwithstanding anything contained in the notification of the Government of India in the Ministry of Finance (Department of Revenue) number G. S. R. 710(E), dated the 28th June, 2017 issued by the Central Government, on the recommendations of the Council, in exercise of the powers under sub-section (1) of section 7 of the Union Territory Goods and Services Tax Act, 2017, no Union territory tax shall be levied or collected in respect of supply of unintended waste generated during the production of fish meal (falling under heading 2301), except for fish oil, during the period commencing from the 1st day of July, 2017 and ending with the 30th day of September, 2019 (both days inclusive) .

14 of 2017.

Retrospective exemption from, or levy or collection of Union territory tax in certain cases.

(2) No refund shall be made of all such tax which has been collected, but which would not have been so collected, had sub-section (1) been in force at all material times.

124. (1) Subject to the provisions of sub-section (2), the notification of the Government of India in the Ministry of Finance (Department of Revenue) number G. S. R. 747(E), dated the 30th September, 2019 issued by the Central Government, on the recommendations of the Council, in exercise of the powers under clause (i) of section 21 of the Union Territory Goods and Services Tax Act, 2017, read with sub-section (2) of section 7 of the Central Goods and Services Tax Act, 2017, shall be deemed to have, and always to have, for all purposes, come into force on and from the 1st day of July, 2017.

14 of 2017.
12 of 2017.

Retrospective effect to notification issued under clause (i) of section 21 of Union Territory Goods and Services Tax Act read with sub-section (2) of section 7 of Central Goods and Services Tax Act.

(2) No refund shall be made of all such Union territory tax which has been collected, but which would not have been so collected, had the notification referred to in sub-section (1) been in force at all material times.

CHAPTER V

MISCELLANEOUS

PART I

AMENDMENTS TO THE RESERVE BANK OF INDIA ACT, 1934

Amendment
of Act 2 of
1934.

125. In the Reserve Bank of India Act, 1934,—

(a) in section 2, after clause (aiii), the following clause shall be inserted, namely:—

‘(aiv) “bank note” means a bank note issued by the Bank, whether in physical or digital form, under section 22;’;

(b) after section 22, the following section shall be inserted, namely:—

“22A. Nothing contained in sections 24, 25, 27, 28 and 39 shall apply to the bank notes issued in digital form by the Bank. ”.

Non-
applicability
of certain
provisions to
digital form of
bank notes.

PART II

AMENDMENT TO THE FINANCE ACT, 2001

Amendment
of Seventh
Schedule.

126. In the Finance Act, 2001, the Seventh Schedule shall be amended in the manner specified in the Ninth Schedule.

14 of 2001.

THE FIRST SCHEDULE

(See section 2)

PART I

INCOME-TAX

Paragraph A

(I) In the case of every individual other than the individual referred to in items (II) and (III) of this Paragraph or Hindu undivided family or association of persons or body of individuals, whether incorporated or not, or every artificial juridical person referred to in sub-clause (vii) of clause (31) of section 2 of the Income-tax Act, not being a case to which any other Paragraph of this Part applies,—

Rates of income-tax

(1) where the total income does not exceed Rs. 2,50,000	<i>Nil</i> ;
(2) where the total income exceeds Rs. 2,50,000 but does not exceed Rs. 5,00,000	5 per cent. of the amount by which the total income exceeds Rs. 2,50,000;
(3) where the total income exceeds Rs. 5,00,000 but does not exceed Rs. 10,00,000	Rs. 12,500 <i>plus</i> 20 per cent. of the amount by which the total income exceeds Rs. 5,00,000;
(4) where the total income exceeds Rs. 10,00,000	Rs. 1,12,500 <i>plus</i> 30 per cent. of the amount by which the total income exceeds Rs. 10,00,000.

(II) In the case of every individual, being a resident in India, who is of the age of sixty years or more but less than eighty years at any time during the previous year,—

Rates of income-tax

(1) where the total income does not exceed Rs. 3,00,000	<i>Nil</i> ;
(2) where the total income exceeds Rs. 3,00,000 but does not exceed Rs. 5,00,000	5 per cent. of the amount by which the total income exceeds Rs. 3,00,000;
(3) where the total income exceeds Rs. 5,00,000 but does not exceed Rs. 10,00,000	Rs. 10,000 <i>plus</i> 20 per cent. of the amount by which the total income exceeds Rs. 5,00,000;
(4) where the total income exceeds Rs. 10,00,000	Rs. 1,10,000 <i>plus</i> 30 per cent. of the amount by which the total income exceeds Rs. 10,00,000.

(III) In the case of every individual, being a resident in India, who is of the age of eighty years or more at any time during the previous year,—

Rates of income-tax

(1) where the total income does not exceed Rs. 5,00,000	<i>Nil</i> ;
(2) where the total income exceeds Rs. 5,00,000 but does not exceed Rs. 10,00,000	20 per cent. of the amount by which the total income exceeds Rs. 5,00,000;

(3) where the total income exceeds Rs. 10,00,000	Rs. 1,00,000 <i>plus</i> 30 per cent. of the amount by which the total income exceeds Rs. 10,00,000.
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Surcharge on income-tax

The amount of income-tax computed in accordance with the preceding provisions of this Paragraph, or the provisions of section 111A or section 112 or section 112A or the provision of section 115BAC of the Income-tax Act, shall be increased by a surcharge for the purposes of the Union, calculated, in the case of every individual or Hindu undivided family or association of persons or body of individuals, whether incorporated or not, or every artificial juridical person referred to in sub-clause (vii) of clause (31) of section 2 of the Income-tax Act,—

(a) having a total income (including the income by way of dividend or income under the provisions of section 111A and section 112A of the Income-tax Act) exceeding fifty lakh rupees but not exceeding one crore rupees, at the rate of ten per cent. of such income-tax;

(b) having a total income (including the income by way of dividend or income under the provisions of section 111A and section 112A of the Income-tax Act) exceeding one crore rupees, but not exceeding two crore rupees, at the rate of fifteen per cent. of such income-tax;

(c) having a total income (excluding the income by way of dividend or income under the provisions of section 111A and section 112A of the Income-tax Act) exceeding two crore rupees but not exceeding five crore rupees, at the rate of twenty-five per cent. of such income-tax;

(d) having a total income (excluding the income by way of dividend or income under the provisions of section 111A and section 112A of the Income-tax Act) exceeding five crore rupees, at the rate of thirty-five per cent. of such income-tax; and

(e) having a total income (including the income by way of dividend or income under the provisions of section 111A and section 112A) exceeding two crore rupees but is not covered under clauses (c) and (d), shall be applicable at the rate of fifteen per cent. of such income-tax:

Provided that in case where the total income includes any income by way of dividend or income chargeable under section 111A and section 112A of the Income-tax Act, the rate of surcharge on the amount of income-tax computed in respect of that part of income shall not exceed fifteen per cent.:

Provided further that in the case of persons mentioned above having total income exceeding,—

(a) fifty lakh rupees but not exceeding one crore rupees, the total amount payable as income-tax and surcharge on such income shall not exceed the total amount payable as income-tax on a total income of fifty lakh rupees by more than the amount of income that exceeds fifty lakh rupees;

(b) one crore rupees but does not exceed two crore rupees, the total amount payable as income-tax and surcharge on such income shall not exceed the total amount payable as income-tax and surcharge on a total income of one crore rupees by more than the amount of income that exceeds one crore rupees;

(c) two crore rupees but does not exceed five crore rupees, the total amount payable as income-tax and surcharge on such income shall not exceed the total amount payable as income-tax and surcharge on a total income of two crore rupees by more than the amount of income that exceeds two crore rupees;

(d) five crore rupees, the total amount payable as income-tax and surcharge on such income shall not exceed the total amount payable as income-tax and surcharge on a total income of five crore rupees by more than the amount of income that exceeds five crore rupees.

Paragraph B

In the case of every co-operative society,—

Rates of income-tax

- (1) where the total income does not exceed Rs. 10,000 10 per cent. of the total income;
- (2) where the total income exceeds Rs. 10,000 but does not exceed Rs. 20,000 Rs. 1,000 *plus* 20 per cent. of the amount by which the total income exceeds Rs. 10,000;
- (3) where the total income exceeds Rs. 20,000 Rs. 3,000 *plus* 30 per cent. of the amount by which the total income exceeds Rs. 20,000.

Surcharge on income-tax

The amount of income-tax computed in accordance with the preceding provisions of this Paragraph, or the provisions of section 111A or section 112 or section 112A of the Income-tax Act, shall, in the case of every co-operative society, having a total income exceeding one crore rupees, be increased by a surcharge for the purposes of the Union calculated at the rate of twelve per cent. of such income-tax:

Provided that in the case of every co-operative society mentioned above having total income exceeding one crore rupees, the total amount payable as income-tax and surcharge on such income shall not exceed the total amount payable as income-tax on a total income of one crore rupees by more than the amount of income that exceeds one crore rupees.

Paragraph C

In the case of every firm,—

Rate of income-tax

On the whole of the total income 30 per cent.

Surcharge on income-tax

The amount of income-tax computed in accordance with the preceding provisions of this Paragraph, or the provisions of section 111A or section 112 or section 112A of the Income-tax Act, shall, in the case of every firm, having a total income exceeding one crore rupees, be increased by a surcharge for the purposes of the Union calculated at the rate of twelve per cent. of such income-tax:

Provided that in the case of every firm mentioned above having total income exceeding one crore rupees, the total amount payable as income-tax and surcharge on such income shall not exceed the total amount payable as income-tax on a total income of one crore rupees by more than the amount of income that exceeds one crore rupees.

Paragraph D

In the case of every local authority,—

Rate of income-tax

On the whole of the total income 30 per cent.

Surcharge on income-tax

The amount of income-tax computed in accordance with the preceding provisions of this Paragraph, or the provisions of section 111A or section 112 or section 112A of the Income-tax Act, shall, in the case of every local authority, having a total income exceeding one crore rupees, be increased by a surcharge for the purposes of the Union calculated at the rate of twelve per cent. of such income-tax:

Provided that in the case of every local authority mentioned above having total income exceeding one crore rupees, the total amount payable as income-tax and surcharge on such income shall not exceed the total amount payable as income-tax on a total income of one crore rupees by more than the amount of income that exceeds one crore rupees.

Paragraph E

In the case of a company,—

Rates of income-tax

I. In the case of a domestic company,—

- (i) where its total turnover or the gross receipt in the previous year 2019-20 does not exceed four hundred crore rupees 25 per cent. of the total income;
- (ii) other than that referred to in item (i) 30 per cent. of the total income.

II. In the case of a company other than a domestic company,—

- (i) on so much of the total income as consists of,—

(a) royalties received from Government or an Indian concern in pursuance of an agreement made by it with the Government or the Indian concern after the 31st day of March, 1961, but before the 1st day of April, 1976; or

(b) fees for rendering technical services received from Government or an Indian concern in pursuance of an agreement made by it with the Government or the Indian concern after the 29th day of February, 1964 but before the 1st day of April, 1976, and where such agreement has, in either case, been approved by the Central Government.

- (ii) on the balance, if any, of the total income 40 per cent.

Surcharge on income-tax

The amount of income-tax computed in accordance with the preceding provisions of this Paragraph, or the provisions of section 111A or section 112 or 112A of the Income-tax Act, shall, be increased by a surcharge for the purposes of the Union calculated,—

- (i) in the case of every domestic company,—

(a) having a total income exceeding one crore rupees but not exceeding ten crore rupees, at the rate of seven per cent. of such income-tax; and

(b) having a total income exceeding ten crore rupees, at the rate of twelve per cent. of such income-tax;

(ii) in the case of every company other than a domestic company,—

(a) having a total income exceeding one crore rupees but not exceeding ten crore rupees, at the rate of two per cent. of such income-tax; and

(b) having a total income exceeding ten crore rupees, at the rate of five per cent. of such income-tax:

Provided that in the case of every company having a total income exceeding one crore rupees but not exceeding ten crore rupees, the total amount payable as income-tax and surcharge on such income shall not exceed the total amount payable as income-tax on a total income of one crore rupees by more than the amount of income that exceeds one crore rupees:

Provided further that in the case of every company having a total income exceeding ten crore rupees, the total amount payable as income-tax and surcharge on such income shall not exceed the total amount payable as income-tax and surcharge on a total income of ten crore rupees by more than the amount of income that exceeds ten crore rupees.

PART II

RATES FOR DEDUCTION OF TAX AT SOURCE IN CERTAIN CASES

In every case in which under the provisions of sections 193, 194A, 194B, 194BB, 194D, 194LBA, 194LBB, 194LBC and 195 of the Income-tax Act, tax is to be deducted at the rates in force, deduction shall be made from the income subject to the deduction at the following rates:—

	Rate of income-tax
1. In the case of a person other than a company—	
(a) where the person is resident in India—	
(i) on income by way of interest other than “Interest on securities”	10 per cent.;
(ii) on income by way of winnings from lotteries, puzzles, card games and other games of any sort	30 per cent.;
(iii) on income by way of winnings from horse races	30 per cent.;
(iv) on income by way of insurance commission	5 per cent.;
(v) on income by way of interest payable on—	10 per cent.;
(A) any debentures or securities for money issued by or on behalf of any local authority or a corporation established by a Central, State or Provincial Act;	
(B) any debentures issued by a company where such debentures are listed on a recognised stock exchange in India in accordance with the Securities Contracts (Regulation) Act, 1956 (42 of 1956) and any rules made thereunder;	
(C) any security of the Central or State Government;	
(vi) on any other income	10 per cent.;
(b) where the person is not resident in India—	
(i) in the case of a non-resident Indian—	
(A) on any investment income	20 per cent.;

(B) on income by way of long-term capital gains referred to in section 115E or sub-clause (iii) of clause (c) of sub-section (1) of section 112	10 per cent.;
(C) on income by way of long-term capital gains referred to in section 112A exceeding one lakh rupees	10 per cent.;
(D) on other income by way of long-term capital gains [not being long-term capital gains referred to in clauses (33) and (36) of section 10]	20 per cent.;
(E) on income by way of short-term capital gains referred to in section 111A	15 per cent.;
(F) on income by way of interest payable by Government or an Indian concern on moneys borrowed or debt incurred by Government or the Indian concern in foreign currency (not being income by way of interest referred to in section 194LB or section 194LC)	20 per cent.;
(G) on income by way of royalty payable by Government or an Indian concern in pursuance of an agreement made by it with the Government or the Indian concern where such royalty is in consideration for the transfer of all or any rights (including the granting of a licence) in respect of copyright in any book on a subject referred to in the first proviso to sub-section (1A) of section 115A of the Income-tax Act, to the Indian concern, or in respect of any computer software referred to in the second proviso to sub-section (1A) of section 115A of the Income-tax Act, to a person resident in India	10 per cent.;
(H) on income by way of royalty [not being royalty of the nature referred to in sub-item (b) (i) (G)] payable by Government or an Indian concern in pursuance of an agreement made by it with the Government or the Indian concern and where such agreement is with an Indian concern, the agreement is approved by the Central Government or where it relates to a matter included in the industrial policy, for the time being in force, of the Government of India, the agreement is in accordance with that policy	10 per cent.;
(I) on income by way of fees for technical services payable by Government or an Indian concern in pursuance of an agreement made by it with the Government or the Indian concern and where such agreement is with an Indian concern, the agreement is approved by the Central Government or where it relates to a matter included in the industrial policy, for the time being in force, of the Government of India, the agreement is in accordance with that policy	10 per cent.;
(J) on income by way of winnings from lotteries, crossword puzzles, card games and other games of any sort	30 per cent.;
(K) on income by way of winnings from horse races	30 per cent.;

(L) on the income by way of dividend	20 per cent.;
(M) on the whole of the other income	30 per cent.;
(ii) in the case of any other person—	
(A) on income by way of interest payable by Government or an Indian concern on moneys borrowed or debt incurred by Government or the Indian concern in foreign currency (not being income by way of interest referred to in section 194LB or section 194LC)	20 per cent.;
(B) on income by way of royalty payable by Government or an Indian concern in pursuance of an agreement made by it with the Government or the Indian concern where such royalty is in consideration for the transfer of all or any rights (including the granting of a licence) in respect of copyright in any book on a subject referred to in the first proviso to sub-section (IA) of section 115A of the Income-tax Act, to the Indian concern, in respect of any computer software referred to in the second proviso to sub-section (IA) of section 115A of the Income-tax Act, to a person resident in India	10 per cent.;
(C) on income by way of royalty [not being royalty of the nature referred to in sub-item (b) (ii) (B)] payable by Government or an Indian concern in pursuance of an agreement made by it with the Government or the Indian concern and where such agreement is with an Indian concern, the agreement is approved by the Central Government or where it relates to a matter included in the industrial policy, for the time being in force, of the Government of India, the agreement is in accordance with that policy	10 per cent.;
(D) on income by way of fees for technical services payable by Government or an Indian concern in pursuance of an agreement made by it with the Government or the Indian concern and where such agreement is with an Indian concern, the agreement is approved by the Central Government or where it relates to a matter included in the industrial policy, for the time being in force, of the Government of India, the agreement is in accordance with that policy	10 per cent.;
(E) on income by way of winnings from lotteries, crossword puzzles, card games and other games of any sort	30 per cent.;
(F) on income by way of winnings from horse races	30 per cent.;
(G) on income by way of short-term capital gains referred to in section 111A	15 per cent.;
(H) on income by way of long-term capital gains referred to in sub-clause (iii) of clause (c) of sub-section (I) of section 112	10 per cent.;
(I) on income by way of long-term capital gains referred to in section 112A exceeding one lakh rupees	10 per cent.;

(J) on income by way of other long-term capital gains [not being long-term capital gains referred to in clauses (33) and (36) of section 10]	20 per cent.;
(K) on income by way of dividend	20 per cent. ;
(L) on the whole of the other income	30 per cent. ;
2. In the case of a company—	
(a) where the company is a domestic company—	
(i) on income by way of interest other than “Interest on securities”	10 per cent. ;
(ii) on income by way of winnings from lotteries, puzzles, card games and other games of any sort	30 per cent. ;
(iii) on income by way of winnings from horse races	30 per cent. ;
(iv) on any other income	10 per cent. ;
(b) where the company is not a domestic company—	
(i) on income by way of winnings from lotteries, crossword puzzles, card games and other games of any sort	30 per cent. ;
(ii) on income by way of winnings from horse races	30 per cent. ;
(iii) on income by way of interest payable by Government or an Indian concern on moneys borrowed or debt incurred by Government or the Indian concern in foreign currency (not being income by way of interest referred to in section 194LB or section 194LC)	20 per cent. ;
(iv) on income by way of royalty payable by Government or an Indian concern in pursuance of an agreement made by it with the Government or the Indian concern after the 31st day of March, 1976 where such royalty is in consideration for the transfer of all or any rights (including the granting of a licence) in respect of copyright in any book on a subject referred to in the first proviso to sub-section (1A) of section 115A of the Income-tax Act, to the Indian concern, or in respect of any computer software referred to in the second proviso to sub-section (1A) of section 115A of the Income-tax Act, to a person resident in India	10 per cent. ;
(v) on income by way of royalty [not being royalty of the nature referred to in sub-item (b)(iv)] payable by Government or an Indian concern in pursuance of an agreement made by it with the Government or the Indian concern and where such agreement is with an Indian concern, the agreement is approved by the Central Government or where it relates to a matter included in the industrial policy, for the time being in force, of the Government of India, the agreement is in accordance with that policy—	
(A) where the agreement is made after the 31st day of March, 1961 but before the 1st day of April, 1976	50 per cent.;
(B) where the agreement is made after the 31st day of March, 1976	10 per cent.;

(vi) on income by way of fees for technical services payable by Government or an Indian concern in pursuance of an agreement made by it with the Government or the Indian concern and where such agreement is with an Indian concern, the agreement is approved by the Central Government or where it relates to a matter included in the industrial policy, for the time being in force, of the Government of India, the agreement is in accordance with that policy—

(A) where the agreement is made after the 29th day of February, 1964 but before the 1st day of April, 1976 50 per cent.;

(B) where the agreement is made after the 31st day of March, 1976 10 per cent.;

(vii) on income by way of short-term capital gains referred to in section 111A 15 per cent.;

(viii) on income by way of long-term capital gains referred to in sub-clause (iii) of clause (c) of sub-section (1) of section 112 10 per cent.;

(ix) on income by way of long-term capital gains referred to in section 112A exceeding one lakh rupees 10 per cent.;

(x) on income by way of other long-term capital gains [not being long-term capital gains referred to in clauses (33) and (36) of section 10] 20 per cent.;

(xi) on income by way of dividend 20 per cent.;

(xii) on any other income 40 per cent.

Explanation.— For the purposes of item 1(b)(i) of this Part, "investment income" and "non-resident Indian" shall have the meanings assigned to them in Chapter XII-A of the Income-tax Act.

Surcharge on income-tax

The amount of income-tax deducted in accordance with the provisions of—

(i) item 1 of this Part, shall be increased by a surcharge, for the purposes of the Union,—

(a) in the case of every individual or Hindu undivided family or association of persons or body of individuals, whether incorporated or not, or every artificial juridical person referred to in sub-clause (vii) of clause (31) of section 2 of the Income-tax Act, being a non-resident, calculated,—

I. at the rate of ten per cent. of such tax, where the income or the aggregate of such incomes (including the income by way of dividend or income under the provisions of sections 111A, 112 and 112A of the Income-tax Act) paid or likely to be paid and subject to the deduction exceeds fifty lakh rupees but does not exceed one crore rupees;

II. at the rate of fifteen per cent. of such tax, where the income or the aggregate of such incomes (including the income by way of dividend or income under the provisions of sections 111A, 112 and 112A of the Income-tax Act) paid or likely to be paid and subject to the deduction exceeds one crore rupees but does not exceed two crore rupees;

III. at the rate of twenty-five per cent. of such tax, where the income or the aggregate of such incomes (excluding the income by way of dividend or income under the provisions of sections 111A, 112 and 112A of the Income-tax Act) paid or likely to be paid and subject to the deduction exceeds two crore rupees but does not exceed five crore rupees;

IV. at the rate of thirty-seven per cent. of such tax, where the income or the aggregate of such incomes (excluding the income by way of dividend or income under the provisions of sections 111A, 112 and 112A of the Income-tax Act) paid or likely to be paid and subject to the deduction exceeds five crore rupees; and

V. at the rate of fifteen per cent. of such tax, where the income or the aggregate of such incomes (including the income by way of dividend or income under the provisions of sections 111A, 112 and 112A of the Income-tax Act) paid or likely to be paid and subject to the deduction exceeds two crore rupees, but is not covered under sub-clauses III and IV:

Provided that in case where the total income includes any income chargeable under sections 111A, 112 and 112A of the Income-tax Act, the rate of surcharge on the amount of Income-tax deducted in respect of that part of income shall not exceed fifteen per cent.;

(b) in the case of every co-operative society, being a non-resident, calculated,—

I. at the rate of seven per cent. of such tax, where the income or the aggregate of such incomes paid or likely to be paid and subject to the deduction exceeds one crore rupees but does not exceed ten crore rupees;

II. at the rate of twelve per cent., where the income or the aggregate of such incomes paid or likely to be paid and subject to the deduction exceeds ten crore rupees;

(c) in the case of every firm, being a non-resident, calculated at the rate of twelve per cent., where the income or the aggregate of such incomes paid or likely to be paid and subject to the deduction exceeds one crore rupees;

(ii) Item 2 of this Part shall be increased by a surcharge, for the purposes of the Union, in the case of every company other than a domestic company, calculated,—

(a) at the rate of two per cent. of such income-tax where the income or the aggregate of such incomes paid or likely to be paid and subject to the deduction exceeds one crore rupees but does not exceed ten crore rupees; and

(b) at the rate of five per cent. of such income-tax where the income or the aggregate of such incomes paid or likely to be paid and subject to the deduction exceeds ten crore rupees.

PART III

RATES FOR CHARGING INCOME-TAX IN CERTAIN CASES, DEDUCTING INCOME-TAX FROM INCOME CHARGEABLE UNDER THE HEAD “SALARIES” AND COMPUTING “ADVANCE TAX”

In cases in which income-tax has to be charged under sub-section (4) of section 172 of the Income-tax Act or sub-section (2) of section 174 or section 174A or section 175 or sub-section (2) of section 176 of the said Act or deducted from, or paid on, from income chargeable under the head “Salaries” under section 192 of the said Act or deducted under section 194P of the said Act or in which the “advance tax” payable under Chapter XVII-C of the said Act has to be computed at the rate or rates in force, such income-tax or, as the case

may be, “advance tax” [not being “advance tax” in respect of any income chargeable to tax under Chapter XII or Chapter XII-A or income chargeable to tax under section 115JB or section 115JC or Chapter XII-FA or Chapter XII-FB or sub-section (1A) of section 161 or section 164 or section 164A or section 167B of the said Act at the rates as specified in that Chapter or section or surcharge, wherever applicable, on such “advance tax” in respect of any income chargeable to tax under section 115A or section 115AB or section 115AC or section 115ACA or section 115AD or section 115B or section 115BA or section 115BAA or section 115BAB or section 115BAD or section 115BB or section 115BBA or section 115BBC or section 115BBE or section 115BBF or section 115BBG or section 115BBH or section 115BBI or section 115E or section 115JB or section 115JC] shall be charged, deducted or computed at the following rate or rates:—

Paragraph A

(I) In the case of every individual other than the individual referred to in items (II) and (III) of this Paragraph or Hindu undivided family or association of persons or body of individuals, whether incorporated or not, or every artificial juridical person referred to in sub-clause (vii) of clause (31) of section 2 of the Income-tax Act, not being a case to which any other Paragraph of this Part applies,—

Rates of income-tax

(1) where the total income does not exceed Rs. 2,50,000	<i>Nil</i> ;
(2) where the total income exceeds Rs. 2,50,000 but does not exceed Rs. 5,00,000	5 per cent. of the amount by which the total income exceeds Rs. 2,50,000;
(3) where the total income exceeds Rs. 5,00,000 but does not exceed Rs. 10,00,000	Rs. 12,500 <i>plus</i> 20 percent. of the amount by which the total income exceeds Rs. 5,00,000;
(4) where the total income exceeds Rs. 10,00,000	Rs. 1,12,500 <i>plus</i> 30 percent. of the amount by which the total income exceeds Rs. 10,00,000.

(II) In the case of every individual, being a resident in India, who is of the age of sixty years or more but less than eighty years at any time during the previous year,—

Rates of income-tax

(1) where the total income does not exceed Rs. 3,00,000	<i>Nil</i> ;
(2) where the total income exceeds Rs. 3,00,000 but does not exceed Rs. 5,00,000	5 per cent. of the amount by which the total income exceeds Rs. 3,00,000;
(3) where the total income exceeds Rs. 5,00,000 but does not exceed Rs. 10,00,000	Rs. 10,000 <i>plus</i> 20 per cent. of the amount by which the total income exceeds Rs. 5,00,000;
(4) where the total income exceeds Rs. 10,00,000	Rs. 1,10,000 <i>plus</i> 30 per cent. of the amount by which the total income exceeds Rs. 10,00,000.

(III) In the case of every individual, being a resident in India, who is of the age of eighty years or more at any time during the previous year,—

Rates of income-tax

(1) where the total income does not exceed Rs. 5,00,000	<i>Nil</i> ;
(2) where the total income exceeds Rs. 5,00,000 but does not exceed Rs. 10,00,000	20 per cent. of the amount by which the total income exceeds Rs. 5,00,000;
(3) where the total income exceeds Rs. 10,00,000	Rs. 1,00,000 <i>plus</i> 30 per cent. of the amount by which the total income exceeds Rs. 10,00,000.

Surcharge on income-tax

The amount of income-tax computed in accordance with the preceding provisions of this Paragraph, or the provisions of section 111A or section 112 or section 112A or the provisions of section 115BAC of the Income-tax Act, shall be increased by a surcharge for the purposes of the Union, calculated, in the case of every individual or Hindu undivided family or association of persons or body of individuals, whether incorporated or not, or every artificial juridical person referred to in sub-clause (vii) of clause (31) of section 2 of the Income-tax Act,—

(a) having a total income (including the income by way of dividend or income under the provisions of section 111A, section 112 and section 112A of the Income-tax Act) exceeding fifty lakh rupees but not exceeding one crore rupees, at the rate of ten per cent. of such income-tax;

(b) having a total income (including the income by way of dividend or income under the provisions of section 111A, section 112 and section 112A of the Income-tax Act) exceeding one crore rupees but not exceeding two crore rupees, at the rate of fifteen per cent. of such income-tax;

(c) having a total income (excluding the income by way of dividend or income under the provisions of section 111A, section 112 and section 112A of the Income-tax Act) exceeding two crore rupees but not exceeding five crore rupees, at the rate of twenty-five per cent. of such income-tax;

(d) having a total income (excluding the income by way of dividend or income under the provisions of section 111A, section 112 and section 112A of the Income-tax Act) exceeding five crore rupees, at the rate of thirty-seven per cent. of such income-tax; and

(e) having a total income (including the income by way of dividend or income under the provisions of section 111A, section 112 and section 112A of the Income-tax Act) exceeding two crore rupees, but is not covered under clauses (c) and (d), shall be applicable at the rate of fifteen per cent. of such income-tax:

Provided that in case where the total income includes any income by way of dividend or income chargeable under section 111A, section 112 and section 112A of the Income-tax Act, the rate of surcharge on the amount of Income-tax computed in respect of that part of income shall not exceed fifteen per cent.:

Provided further that in case of an association of persons consisting of only companies as its members, the rate of surcharge on the amount of Income-tax shall not exceed fifteen per cent.:

Provided also that in the case of persons mentioned above having total income exceeding,—

(a) fifty lakh rupees but not exceeding one crore rupees, the total amount payable as income-tax and surcharge on such income shall not exceed the total amount payable as income-tax on a total income of fifty lakh rupees by more than the amount of income that exceeds fifty lakh rupees;

(b) one crore rupees but does not exceed two crore rupees, the total amount payable as income-tax and surcharge on such income shall not exceed the total amount payable as income-tax and surcharge on a total income of one crore rupees by more than the amount of income that exceeds one crore rupees;

(c) two crore rupees but does not exceed five crore rupees, the total amount payable as income-tax and surcharge on such income shall not exceed the total amount payable as income-tax and surcharge on a total income of two crore rupees by more than the amount of income that exceeds two crore rupees;

(d) five crore rupees, the total amount payable as income-tax and surcharge on such income shall not exceed the total amount payable as income-tax and surcharge on a total income of five crore rupees by more than the amount of income that exceeds five crore rupees.

Paragraph B

In the case of every co-operative society,—

Rates of income-tax

(1) where the total income does not exceed Rs. 10,000	10 per cent. of the total income;
(2) where the total income exceeds Rs. 10,000 but does not exceed Rs. 20,000	Rs. 1,000 <i>plus</i> 20 per cent. of the amount by which the total income exceeds Rs. 10,000;
(3) where the total income exceeds Rs. 20,000	Rs. 3,000 <i>plus</i> 30 per cent. of the amount by which the total income exceeds Rs. 20,000.

Surcharge on income-tax

The amount of income-tax computed in accordance with the preceding provisions of this Paragraph, or the provisions of section 111A or section 112 or section 112A of the Income-tax Act, shall, be increased by a surcharge for the purpose of the Union, calculated in the case of every co-operative society,—

(a) having a total income exceeding one crore rupees but not exceeding ten crore rupees, at the rate of seven per cent., of such income-tax;

(b) having a total income exceeding ten crore rupees, at the rate of twelve per cent.:

Provided that in the case of every co-operative society having total income exceeding one crore rupees but not exceeding ten crore rupees the total amount payable as income-tax and surcharge on such income shall not exceed the total amount payable as income-tax on a total income of one crore rupees by more than the amount of income that exceeds one crore rupees:

Provided further that in the case of every co-operative society having total income exceeding ten crore rupees, the total amount payable as income-tax and surcharge on such income shall not exceed the total amount payable as income-tax and surcharge on a total income of ten crore rupees by more than the amount of income that exceeds ten crore rupees.

Paragraph C

In the case of every firm,—

Rate of income-tax

On the whole of the total income 30 per cent.

Surcharge on income-tax

The amount of income-tax computed in accordance with the preceding provisions of this Paragraph, or the provisions of section 111A or section 112 or section 112A of the Income-tax Act, shall, in the case of every firm, having a total income exceeding one crore rupees, be increased by a surcharge for the purposes of the Union calculated at the rate of twelve per cent. of such income-tax:

Provided that in the case of every firm mentioned above having total income exceeding one crore rupees, the total amount payable as income-tax and surcharge on such income shall not exceed the total amount payable as income-tax on a total income of one crore rupees by more than the amount of income that exceeds one crore rupees.

Paragraph D

In the case of every local authority,—

Rate of income-tax

On the whole of the total income 30 per cent. ;

Surcharge on income-tax

The amount of income-tax computed in accordance with the preceding provisions of this Paragraph, or the provisions of section 111A or section 112 or section 112A of the Income-tax Act, shall, in the case of every local authority, having a total income exceeding one crore rupees, be increased by a surcharge for the purposes of the Union calculated at the rate of twelve per cent. of such income-tax:

Provided that in the case of every local authority mentioned above having total income exceeding one crore rupees, the total amount payable as income-tax and surcharge on such income shall not exceed the total amount payable as income-tax on a total income of one crore rupees by more than the amount of income that exceeds one crore rupees.

Paragraph E

In the case of a company,—

Rates of income-tax

I. In the case of a domestic company,—

(i) where its total turnover or the gross receipt in the previous year 2020-2021 does not exceed four hundred crore rupees 25 per cent. of the total income;

(ii) other than that referred to in item (i) 30 per cent. of the total income.

II. In the case of a company other than a domestic company,—

(i) on so much of the total income as consists of,— 50 per cent.;

(a) royalties received from Government or an Indian concern in pursuance of an agreement made by it with the Government or the Indian concern after the 31st day of March, 1961 but before the 1st day of April, 1976; or

(b) fees for rendering technical services received from Government or an Indian concern in pursuance of an agreement made by it with the Government or the Indian concern after the 29th day of February, 1964 but before the 1st day of April, 1976,

and where such agreement has, in either case, been approved by the Central Government;

(ii) on the balance, if any, of the total income 40 per cent.

Surcharge on income-tax

The amount of income-tax computed in accordance with the preceding provisions of this Paragraph, or the provisions of section 111A or section 112 or section 112A of the Income-tax Act, shall, be increased by a surcharge for the purposes of the Union, calculated,—

(i) in the case of every domestic company,—

(a) having a total income exceeding one crore rupees but not exceeding ten crore rupees, at the rate of seven per cent. of such income-tax; and

(b) having a total income exceeding ten crore rupees, at the rate of twelve per cent. of such income-tax;

(ii) in the case of every company other than a domestic company,—

(a) having a total income exceeding one crore rupees but not exceeding ten crore rupees, at the rate of two per cent. of such income-tax; and

(b) having a total income exceeding ten crore rupees, at the rate of five per cent. of such income-tax:

Provided that in the case of every company having a total income exceeding one crore rupees but not exceeding ten crore rupees, the total amount payable as income-tax and surcharge on such income shall not exceed the total amount payable as income-tax on a total income of one crore rupees by more than the amount of income that exceeds one crore rupees:

Provided further that in the case of every company having a total income exceeding ten crore rupees, the total amount payable as income-tax and surcharge on such income shall not exceed the total amount payable as income-tax and surcharge on a total income of ten crore rupees by more than the amount of income that exceeds ten crore rupees.

PART IV

[See section 2(13) (c)]

RULES FOR COMPUTATION OF NET AGRICULTURAL INCOME

Rule 1. —Agricultural income of the nature referred to in sub-clause (a) of clause (1A) of section 2 of the Income-tax Act shall be computed as if it were income chargeable to income-tax under that Act under the head “Income from other sources” and the provisions of sections 57 to 59 of that Act shall, so far as may be, apply accordingly:

Provided that sub-section (2) of section 58 shall apply subject to the modification that the reference to section 40A therein shall be construed as not including a reference to sub-sections (3), (3A) and (4) of section 40A.

Rule 2. —Agricultural income of the nature referred to in sub-clause (b) or sub-clause (c) of clause (1A) of section 2 of the Income-tax Act [other than income derived from any building required as a dwelling-house by the receiver of the rent or revenue of the cultivator

or the receiver of rent-in-kind referred to in the said sub-clause (c)] shall be computed as if it were income chargeable to income-tax under that Act under the head “Profits and gains of business or profession” and the provisions of sections 30, 31, 32, 36, 37, 38, 40, 40A [other than sub-sections (3), (3A) and (4) thereof], 41, 43, 43A, 43B and 43C of the Income-tax Act shall, so far as may be, apply accordingly.

Rule 3. —Agricultural income of the nature referred to in sub-clause (c) of clause (IA) of section 2 of the Income-tax Act, being income derived from any building required as a dwelling-house by the receiver of the rent or revenue or the cultivator or the receiver of rent-in-kind referred to in the said sub-clause (c) shall be computed as if it were income chargeable to income-tax under that Act under the head “Income from house property” and the provisions of sections 23 to 27 of that Act shall, so far as may be, apply accordingly.

Rule 4. —Notwithstanding anything contained in any other provisions of these rules, in a case—

(a) where the assessee derives income from sale of tea grown and manufactured by him in India, such income shall be computed in accordance with rule 8 of the Income-tax Rules, 1962, and sixty per cent. of such income shall be regarded as the agricultural income of the assessee;

(b) where the assessee derives income from sale of centrifuged latex or cenex or latex based crepes (such as pale latex crepe) or brown crepes (such as estate brown crepe, re-milled crepe, smoked blanket crepe or flat bark crepe) or technically specified block rubbers manufactured or processed by him from rubber plants grown by him in India, such income shall be computed in accordance with rule 7A of the Income-tax Rules, 1962, and sixty-five per cent. of such income shall be regarded as the agricultural income of the assessee;

(c) where the assessee derives income from sale of coffee grown and manufactured by him in India, such income shall be computed in accordance with rule 7B of the Income-tax Rules, 1962, and sixty per cent. or seventy-five per cent., as the case may be, of such income shall be regarded as the agricultural income of the assessee.

Rule 5. —Where the assessee is a member of an association of persons or a body of individuals (other than a Hindu undivided family, a company or a firm) which in the previous year has either no income chargeable to tax under the Income-tax Act or has total income not exceeding the maximum amount not chargeable to tax in the case of an association of persons or a body of individuals (other than a Hindu undivided family, a company or a firm) but has any agricultural income then, the agricultural income or loss of the association or body shall be computed in accordance with these rules and the share of the assessee in the agricultural income or loss so computed shall be regarded as the agricultural income or loss of the assessee.

Rule 6. —Where the result of the computation for the previous year in respect of any source of agricultural income is a loss, such loss shall be set off against the income of the assessee, if any, for that previous year from any other source of agricultural income:

Provided that where the assessee is a member of an association of persons or a body of individuals and the share of the assessee in the agricultural income of the association or body, as the case may be, is a loss, such loss shall not be set off against any income of the assessee from any other source of agricultural income.

Rule 7. —Any sum payable by the assessee on account of any tax levied by the State Government on the agricultural income shall be deducted in computing the agricultural income.

Rule 8. —(1) Where the assessee has, in the previous year relevant to the assessment year commencing on the 1st day of April, 2022, any agricultural income and the net result of the computation of the agricultural income of the assessee for any one or more of the

previous years relevant to the assessment years commencing on the 1st day of April, 2014 or the 1st day of April, 2015 or the 1st day of April, 2016 or the 1st day of April, 2017 or the 1st day of April, 2018 or the 1st day of April, 2019 or the 1st day of April, 2020, or the 1st day of April, 2021, is a loss, then, for the purposes of sub-section (2) of section 2 of this Act,—

(i) the loss so computed for the previous year relevant to the assessment year commencing on the 1st day of April, 2014, to the extent, if any, such loss has not been set off against the agricultural income for the previous year relevant to the assessment year commencing on the 1st day of April, 2015 or the 1st day of April, 2016 or the 1st day of April, 2017 or the 1st day of April, 2018 or the 1st day of April, 2019 or the 1st day of April, 2020 or the 1st day of April, 2021,

(ii) the loss so computed for the previous year relevant to the assessment year commencing on the 1st day of April, 2015, to the extent, if any, such loss has not been set off against the agricultural income for the previous year relevant to the assessment year commencing on the 1st day of April, 2016 or the 1st day of April, 2017 or the 1st day of April, 2018 or the 1st day of April, 2019 or the 1st day of April, 2020 or the 1st day of April, 2021,

(iii) the loss so computed for the previous year relevant to the assessment year commencing on the 1st day of April, 2016, to the extent, if any, such loss has not been set off against the agricultural income for the previous year relevant to the assessment year commencing on the 1st day of April, 2017 or the 1st day of April, 2018 or the 1st day of April, 2019 or the 1st day of April, 2020 or the 1st day of April, 2021,

(iv) the loss so computed for the previous year relevant to the assessment year commencing on the 1st day of April, 2017, to the extent, if any, such loss has not been set off against the agricultural income for the previous year relevant to the assessment year commencing on the 1st day of April, 2018 or the 1st day of April, 2019 or the 1st day of April, 2020 or the 1st day of April, 2021,

(v) the loss so computed for the previous year relevant to the assessment year commencing on the 1st day of April, 2018, to the extent, if any, such loss has not been set off against the agricultural income for the previous year relevant to the assessment year commencing on the 1st day of April, 2019 or the 1st day of April, 2020 or the 1st day of April, 2021,

(vi) the loss so computed for the previous year relevant to the assessment year commencing on the 1st day of April, 2019, to the extent, if any, such loss has not been set off against the agricultural income for the previous year relevant to the assessment year commencing on the 1st day of April, 2020 or the 1st day of April, 2021,

(vii) the loss so computed for the previous year relevant to the assessment year commencing on the 1st day of April, 2020, to the extent, if any, such loss has not been set off against the agricultural income for the previous year relevant to the assessment year commencing on the 1st day of April, 2021,

(viii) the loss so computed for the previous year relevant to the assessment year commencing on the 1st day of April, 2021,

shall be set off against the agricultural income of the assessee for the previous year relevant to the assessment year commencing on the 1st day of April, 2022.

(2) Where the assessee has, in the previous year relevant to the assessment year commencing on the 1st day of April, 2023, or, if by virtue of any provision of the Income-tax Act, income-tax is to be charged in respect of the income of a period other than the previous year, in such other period, any agricultural income and the net result of the computation of the agricultural income of the assessee for any one or more of the previous years relevant to the assessment years commencing on the 1st day of April, 2015 or the 1st day of April, 2016 or the 1st day of April, 2017 or the 1st day of April, 2018 or the 1st day of April, 2019 or the

1st day of April, 2020 or the 1st day of April, 2021 or the 1st day of April, 2022, is a loss, then, for the purposes of sub-section (10) of section 2 of this Act,—

(i) the loss so computed for the previous year relevant to the assessment year commencing on the 1st day of April, 2015, to the extent, if any, such loss has not been set off against the agricultural income for the previous year relevant to the assessment year commencing on the 1st day of April, 2016 or the 1st day of April, 2017 or the 1st day of April, 2018 or the 1st day of April, 2019 or the 1st day of April, 2020 or the 1st day of April, 2021 or the 1st day of April, 2022,

(ii) the loss so computed for the previous year relevant to the assessment year commencing on the 1st day of April, 2016, to the extent, if any, such loss has not been set off against the agricultural income for the previous year relevant to the assessment year commencing on the 1st day of April, 2017 or the 1st day of April, 2018 or the 1st day of April, 2019 or the 1st day of April, 2020 or the 1st day of April, 2021 or the 1st day of April, 2022,

(iii) the loss so computed for the previous year relevant to the assessment year commencing on the 1st day of April, 2017, to the extent, if any, such loss has not been set off against the agricultural income for the previous year relevant to the assessment year commencing on the 1st day of April, 2018 or the 1st day of April, 2019 or the 1st day of April, 2020 or the 1st day of April, 2021 or the 1st day of April, 2022,

(iv) the loss so computed for the previous year relevant to the assessment year commencing on the 1st day of April, 2018, to the extent, if any, such loss has not been set off against the agricultural income for the previous year relevant to the assessment year commencing on the 1st day of April, 2019 or the 1st day of April, 2020 or the 1st day of April, 2021 or the 1st day of April, 2022,

(v) the loss so computed for the previous year relevant to the assessment year commencing on the 1st day of April, 2019, to the extent, if any, such loss has not been set off against the agricultural income for the previous year relevant to the assessment year commencing on the 1st day of April, 2020 or the 1st day of April, 2021 or the 1st day of April, 2022,

(vi) the loss so computed for the previous year relevant to the assessment year commencing on the 1st day of April, 2020, to the extent, if any, such loss has not been set off against the agricultural income for the previous year relevant to the assessment year commencing on the or the 1st day of April, 2021 or the 1st day of April, 2022,

(vii) the loss so computed for the previous year relevant to the assessment year commencing on the 1st day of April, 2021, to the extent, if any, such loss has not been set off against the agricultural income for the previous year relevant to the assessment year commencing on the 1st day of April, 2022,

(viii) the loss so computed for the previous year relevant to the assessment year commencing on the 1st day of April, 2022,

shall be set off against the agricultural income of the assessee for the previous year relevant to the assessment year commencing on the 1st day of April, 2023.

(3) Where any person deriving any agricultural income from any source has been succeeded in such capacity by another person, otherwise than by inheritance, nothing in sub-rule (1) or sub-rule (2) shall entitle any person, other than the person incurring the loss, to have it set off under sub-rule (1) or, as the case may be, sub-rule (2) .

(4) Notwithstanding anything contained in this rule, no loss which has not been determined by the Assessing Officer under the provisions of these rules or the rules contained in the First Schedule to the Finance (No. 2) Act, 2014 (25 of 2014) or the First Schedule to the Finance Act, 2015 (20 of 2015) or the First Schedule to the Finance Act, 2016 (28 of 2016) or the First Schedule to the Finance Act, 2017 (7 of 2017) or the First Schedule to the Finance

Act, 2018 (13 of 2018) or the First Schedule of the Finance (No. 2) Act, 2019 (23 of 2019) or the First Schedule of the Finance Act, 2020 (12 of 2020) or the First Schedule of the Finance Act, 2021 (13 of 2021) shall be set off under sub-rule (1) or, as the case may be, sub-rule (2) .

Rule 9. —Where the net result of the computation made in accordance with these rules is a loss, the loss so computed shall be ignored and the net agricultural income shall be deemed to be *nil*.

Rule 10. —The provisions of the Income-tax Act relating to procedure for assessment (including the provisions of section 288A relating to rounding off of income) shall, with the necessary modifications, apply in relation to the computation of the net agricultural income of the assessee as they apply in relation to the assessment of the total income.

Rule 11. —For the purposes of computing the net agricultural income of the assessee, the Assessing Officer shall have the same powers as he has under the Income-tax Act for the purposes of assessment of the total income.

THE SECOND SCHEDULE

[See section 98(a)]

In the First Schedule to the Customs Tariff Act,—

Tariff Item	Description of goods	Unit	Rate of duty	
			Standard	Preferential
(1)	(2)	(3)	(4)	(5)

(1) in Chapter 15, for the entry in column (4) occurring against tariff item 1516 30 00, the entry “100%” shall be substituted;

(2) in Chapter 66, for the entry in column (4) occurring against all the tariff items of heading 6601, the entry “20%” shall be substituted;

(3) in Chapter 71, for the entry in column (4) occurring against all the tariff items of heading 7117, the entry “20% or Rs. 400 per kg., whichever is higher” shall be substituted;

(4) in Chapter 85,—

(i) for the entry in column (4) occurring against tariff items 8518 21 00, 8518 22 00, 8518 29 00, and 8518 30 00, the entry “20%” shall be substituted;

(ii) for tariff item 8524 11 00 and the entries relating thereto, the following shall be substituted, namely:—

“8524 11 00 - - Of liquid crystals 15% - ”;

(iii) for the entry in column (4) occurring against tariff item 8541 42 00, the entry “25%” shall be substituted;

(iv) for the entry in column (4) occurring against tariff item 8541 43 00, the entry “40%” shall be substituted;

(v) for the entry in column (4) occurring against tariff item 8541 49 00, the entry “40%” shall be substituted;

(5) in Chapter 90,—

(i) for the entry in column (4) occurring against tariff item 9028 30 10, the entry “25%” shall be substituted;

(ii) for the entry in column (4) occurring against tariff item 9028 90 10, the entry “20%” shall be substituted.

THE THIRD SCHEDULE

[See section 98(b)]

In the First Schedule to the Customs Tariff Act,—

Tariff Item	Description of goods	Unit	Rate of duty	
			Standard	Preferential
(1)	(2)	(3)	(4)	(5)

(1) in Chapter 1, for the entry in column (4) occurring against tariff item 0101 21 00, the entry “Free” shall be substituted;

(2) in Chapter 3,—

(i) in heading 0306, for tariff item 0306 36 00 and the entries relating thereto, the following shall be substituted, namely:—

(1)	(2)	(3)	(4)	(5)
“0306 36	-- Other shrimps and prawns:			
0306 36 10	--- Scampi (<i>Macrobrachium spp.</i>)	kg.	30%	-
0306 36 20	--- Vannamei shrimp (<i>Litopenaeus vannamei</i>)	kg.	10%	-
0306 36 30	--- Indian white shrimp (<i>Fenneropenaeus indicus</i>)	kg.	30%	-
0306 36 40	--- Black tiger shrimp (<i>Penaeus monodon</i>)	kg.	10%	-
0306 36 50	--- Flower shrimp (<i>Penaeus semisulcatus</i>)	kg.	30%	-
0306 36 60	--- Artemia	kg.	5%	-
0306 36 90	--- Other	kg.	30%	-”;

(ii) for the entry in column (4) occurring against tariff item 0307 32 00, the entry “15%” shall be substituted;

(iii) for the entry in column (4) occurring against tariff item 0307 43 20, the entry “15%” shall be substituted;

(3) in Chapter 5,—

(i) for the entry in column (4) occurring against tariff item 0508 00 10, the entry “Free” shall be substituted;

(ii) for the entry in column (4) occurring against tariff item 0511 10 00, the entry “5%” shall be substituted;

(iii) in heading 0511, for tariff items 0511 91 10 to 0511 91 90, sub-heading 0511 99, tariff items 0511 99 11 and 0511 99 19, the following shall be substituted, namely:—

“0511 91 10	--- Fish nails	kg.	30%	-
0511 91 20	--- Fish tails	kg.	30%	-
0511 91 30	--- Other fish waste	kg.	30%	-
0511 91 40	--- Artemia cysts	kg.	5%	-
0511 91 90	--- Other	kg.	30%	-

(ii) for the entry in column (4) occurring against tariff item 1001 99 10, the entry “40%” shall be substituted;

(iii) for the entry in column (4) occurring against all the tariff items of heading 1005, the entry “50%” shall be substituted;

(iv) for the entry in column (4) occurring against all the tariff items of heading 1007, the entry “50%” shall be substituted;

(v) for the entry in column (4) occurring against all the tariff items of sub-headings 1008 21 and 1008 29, the entry “50%” shall be substituted;

(8) in Chapter 11,—

(i) for the entry in column (4) occurring against tariff item 1104 22 00, the entry “15%” shall be substituted;

(ii) for the entry in column (4) occurring against tariff item 1107 10 00, the entry “30%” shall be substituted;

(iii) for the entry in column (4) occurring against tariff item 1108 12 00, the entry “30%” shall be substituted;

(9) in Chapter 12,—

(i) for the entry in column (4) occurring against tariff item 1207 91 00, the entry “20%” shall be substituted;

(ii) for the entry in column (4) occurring against all the tariff items of sub-heading 1209 91, the entry “5%” shall be substituted;

(iii) for the entry in column (4) occurring against all the tariff items of sub-heading 1209 99, the entry “5%” shall be substituted;

(10) in Chapter 13, for the entry in column (4) occurring against tariff item 1301 90 13, the entry “5%” shall be substituted;

(11) in Chapter 14, for the entry in column (4) occurring against tariff item 1401 10 00, the entry “25%” shall be substituted;

(12) in Chapter 16, in the Chapter heading, for the word “crustaceans”, the words “of crustaceans” shall be substituted;

(13) in Chapter 17, for the entry in column (4) occurring against all the tariff items of sub-headings 1702 11 and 1702 19, the entry “25%” shall be substituted;

(14) in Chapter 18, for the entry in column (4) occurring against tariff item 1801 00 00, the entry “15%” shall be substituted;

(15) in Chapter 19,—

(i) for the entry in column (4) occurring against tariff item 1905 31 00, the entry “30%” shall be substituted;

(ii) for the entry in column (4) occurring against all the tariff items of sub-heading 1905 32, the entry “30%” shall be substituted;

(16) in Chapter 21, in clause (e) of Note 1, for the words “blood, fish”, the words “blood, insects, fish” shall be substituted;

(17) in Chapter 22, for the entry in column (4) occurring against tariff item 2207 20 00, the entry “5%” shall be substituted;

(18) in Chapter 23,—

(i) for the entry in column (4) occurring against all the tariff items of headings 2301, 2302, 2303, 2304, 2305 and 2306, the entry “15%” shall be substituted;

(ii) for the entry in column (4) occurring against tariff item 2307 00 00, the entry “15%” shall be substituted;

(iii) for the entry in column (4) occurring against tariff item 2308 00 00, the entry “15%” shall be substituted;

(iv) for the entry in column (4) occurring against tariff item 2309 10 00, the entry “20%” shall be substituted;

(v) for the entry in column (4) occurring against tariff items 2309 90 10, 2309 90 20 and 2309 90 31, the entry “15%” shall be substituted;

(vi) for the entry in column (2) occurring against tariff item 2309 90 32, the following entry shall be substituted, namely:—

“Fish feed in powdered form”;

(vii) for the entry in column (4) occurring against tariff items 2309 90 32, 2309 90 39 and 2309 90 90, the entry “15%” shall be substituted;

(19) in Chapter 25,—

(i) for the entry in column (4) occurring against all the tariff items of heading 2501, the entry “5%” shall be substituted;

(ii) for the entry in column (4) occurring against tariff item 2502 00 00, the entry “5%” shall be substituted;

(iii) for the entry in column (4) occurring against tariff item 2503 00 10, the entry “2.5%” shall be substituted;

(iv) for the entry in column (4) occurring against tariff item 2503 00 90, the entry “5%” shall be substituted;

(v) for the entry in column (4) occurring against all the tariff items of headings 2504, 2505, 2506, 2507 and 2508, the entry “5%” shall be substituted;

(vi) for the entry in column (4) occurring against tariff item 2509 00 00, the entry “5%” shall be substituted;

(vii) for the entry in column (4) occurring against all the tariff items of heading 2510, the entry “2.5%” shall be substituted;

(viii) for the entry in column (4) occurring against all the tariff items of headings 2511, 2512 and 2513, the entry “5%” shall be substituted;

(ix) for the entry in column (4) occurring against tariff item 2514 00 00, the entry “5%” shall be substituted;

(x) for the entry in column (4) occurring against all the tariff items of headings 2517 and 2519, the entry “5%” shall be substituted;

(xi) for the entry in column (4) occurring against tariff items 2520 10 10, 2520 10 20 and 2520 10 90, the entry “2.5%” shall be substituted;

(xii) for the entry in column (4) occurring against all the tariff items of sub-heading 2520 20, the entry “5%” shall be substituted;

(xiii) for the entry in column (4) occurring against all the tariff items of headings 2521 and 2522, the entry “5%” shall be substituted;

(xiv) for the entry in column (4) occurring against all the tariff items of sub-heading 2523 29, the entry “Free” shall be substituted;

(xv) for the entry in column (4) occurring against all the tariff items of headings 2525 and 2526, the entry “5%” shall be substituted;

(xvi) for the entry in column (4) occurring against all the tariff items of heading 2528, the entry “2.5%” shall be substituted;

(xvii) for the entry in column (4) occurring against all the tariff items of headings 2529 and 2530, the entry “5%” shall be substituted;

(20) in Chapter 26,—

(i) in clause (f) of Note 1, for the brackets, word and figures “(heading 7112)”, the brackets, words and figures “(heading 7112 or 8549)” shall be substituted;

(ii) after sub-heading Notes, the following Supplementary Note shall be inserted, namely:—

“Supplementary Note:

1. For the products of heading 2601, the percentage of Fe content, wherever specified, shall be calculated on the Dry Weight or Dry Metric Tonne (DMT) basis.”;

(iii) for the entry in column (4) occurring against all the tariff items of headings 2601 and 2602, the entry “2.5%” shall be substituted;

(iv) for the entry in column (4) occurring against tariff item 2603 00 00, the entry “2.5%” shall be substituted;

(v) for the entry in column (4) occurring against tariff item 2604 00 00, the entry “Free” shall be substituted;

(vi) for the entry in column (4) occurring against tariff item 2605 00 00, the entry “2.5%” shall be substituted;

(vii) for the entry in column (4) occurring against all the tariff items of heading 2606, the entry “2.5%” shall be substituted;

(viii) for the entry in column (4) occurring against tariff items 2607 00 00, 2608 00 00 and 2609 00 00, the entry “2.5%” shall be substituted;

(ix) for the entry in column (4) occurring against all the tariff items of heading 2610, the entry “2.5%” shall be substituted;

(x) for the entry in column (4) occurring against tariff item 2611 00 00, the entry “2.5%” shall be substituted;

(xi) for the entry in column (4) occurring against tariff item 2612 10 00, the entry “Free” shall be substituted;

(xii) for the entry in column (4) occurring against tariff item 2612 20 00, the entry “2.5%” shall be substituted;

(xiii) for the entry in column (4) occurring against all the tariff items of headings 2613, 2614, 2615, 2616 and 2617, the entry “2.5%” shall be substituted;

(xiv) for the entry in column (4) occurring against all the tariff items of heading 2620, the entry “5%” shall be substituted;

(21) in Chapter 27,—

(i) for the entry in column (4) occurring against all the tariff items of headings 2701, 2702 and 2703, the entry “5%” shall be substituted;

(ii) for the entry in column (4) occurring against all the tariff items of heading 2704, the entry “5%” shall be substituted;

(iii) for the entry in column (4) occurring against tariff item 2705 00 00, the entry “5%” shall be substituted;

(iv) for the entry in column (4) occurring against all the tariff items of heading 2706, the entry “5%” shall be substituted;

(v) for the entry in column (4) occurring against all the tariff items of heading 2707, the entry “2.5%” shall be substituted;

(vi) for the entry in column (4) occurring against all the tariff items of heading 2708, the entry “5%” shall be substituted;

(vii) for the entry in column (4) occurring against tariff item 2709 00 90, the entry “Free” shall be substituted;

(viii) for the entry in column (4) occurring against tariff items 2710 12 21, 2710 12 22 and 2710 12 29, the entry “2.5%” shall be substituted;

(ix) for the entry in column (4) occurring against tariff items 2710 12 31 and 2710 12 32, the entry “5%” shall be substituted;

(x) in heading 2710, for tariff items 2710 12 39 to 2710 12 49 and the entries relating thereto, the following shall be substituted, namely:—

“2710 12 39	---- Solvent 145/205	kg.	5%	-
	--- <i>Motor Gasoline conforming to standard IS 2796, IS 17021, IS 17586 or IS 17076:</i>			
2710 12 41	---- Motor Gasoline conforming to standard IS 2796	kg.	2.5%	-
2710 12 42	---- E 20 Fuel conforming to standard IS 17021	kg.	2.5%	-
2710 12 43	---- E 12 Fuel conforming to standard IS 17586	kg.	2.5%	-
2710 12 44	---- E 15 Fuel conforming to standard IS 17586	kg.	2.5%	-
2710 12 49	---- M 15 Fuel conforming to standard IS 17076	kg.	2.5%	-”;

(xi) for the entry in column (4) occurring against tariff item 2710 12 50, the entry “Free” shall be substituted;

(xii) for the entry in column (4) occurring against tariff items 2710 12 90, 2710 19 20, 2710 19 31, 2710 19 32, 2710 19 39, 2710 19 41, 2710 19 42 and 2710 19 43, the entry “5%” shall be substituted;

(xiii) for the entry in column (4) occurring against tariff items 2710 19 44 and 2710 19 49, the entry “2.5%” shall be substituted;

(xiv) for the entry in column (4) occurring against tariff items 2710 19 51, 2710 19 52, 2710 19 53, 2710 19 59, 2710 19 61, 2710 19 69, 2710 19 71, 2710 19 72, 2710 19 73, 2710 19 74, 2710 19 75, 2710 19 76, 2710 19 77, 2710 19 78, 2710 19 79, 2710 19 81, 2710 19 82, 2710 19 83, 2710 19 84, 2710 19 85, 2710 19 86, 2710 19 87, 2710 19 88, 2710 19 89 and 2710 19 90, the entry “5%” shall be substituted;

(xv) for the entry in column (4) occurring against tariff items 2710 20 10 and 2710 20 20, the entry “2.5%” shall be substituted;

(xvi) for the entry in column (4) occurring against tariff items 2710 20 90, 2710 91 00 and 2710 99 00, the entry “5%” shall be substituted;

(xvii) for the entry in column (4) occurring against tariff items 2711 11 00, 2711 12 00 and 2711 13 00, the entry “2.5%” shall be substituted;

(xviii) for the entry in column (4) occurring against tariff items 2711 14 00, 2711 19 10, 2711 19 20, 2711 19 90, 2711 21 00 and 2711 29 00, the entry “5%” shall be substituted;

(xix) for the entry in column (4) occurring against all the tariff items of heading 2712, the entry “5%” shall be substituted;

(xx) for the entry in column (4) occurring against tariff items 2713 12 10 and 2713 12 90, the entry “7.5%” shall be substituted;

(xxi) for the entry in column (4) occurring against tariff items 2713 20 00 and 2713 90 00, the entry “5%” shall be substituted;

(xxii) for the entry in column (4) occurring against all the tariff items of headings 2714 and 2715, the entry “5%” shall be substituted;

(22) in Chapter 28,—

(i) after Supplementary Note 1, the following Supplementary Note shall be inserted, namely:—

“2. In this Chapter, reference to any standard of the Bureau of Indian Standards refers to the last published version of that standard.”;

(ii) for the entry in column (4) occurring against tariff item 2801 20 00, the entry “2.5%” shall be substituted;

(iii) for the entry in column (4) occurring against all the tariff items of headings 2806, 2807 and 2808, the entry “7.5%” shall be substituted;

(iv) for the entry in column (4) occurring against tariff items 2809 10 00, 2809 20 20 and 2810 00 10, the entry “7.5%” shall be substituted;

(v) for the entry in column (4) occurring against all the tariff items of headings 2811, 2812, 2813, 2815, 2816 and 2817, the entry “7.5%” shall be substituted;

(vi) for the entry in column (4) occurring against tariff item 2818 10 00, the entry “7.5%” shall be substituted;

(vii) in heading 2818, for tariff item 2818 20 10 and the entries relating thereto, the following shall be substituted, namely:—

“- - - Alumina, calcined:

2818 20 11	--- - Metallurgical grade, conforming to IS 17441	kg.	5%	-
2818 20 19	---- Non-metallurgical grade, conforming to IS 17441	kg.	5%	-";

(viii) for the entry in column (4) occurring against tariff items 2818 20 90 and 2818 30 00, the entry "7.5%" shall be substituted;

(ix) for the entry in column (4) occurring against all the tariff items of headings 2819, 2820, 2821 and 2822, the entry "7.5%" shall be substituted;

(x) for the entry in column (4) occurring against tariff item 2823 00 90, the entry "7.5%" shall be substituted;

(xi) for the entry in column (4) occurring against all the tariff items of heading 2824, the entry "7.5%" shall be substituted;

(xii) for the entry in column (4) occurring against tariff items 2825 10 10, 2825 10 20, 2825 10 30, 2825 10 40, 2825 10 90, 2825 20 00, 2825 30 10 and 2825 30 90, the entry "7.5%" shall be substituted;

(xiii) for the entry in column (4) occurring against tariff item 2825 40 00, the entry "Free" shall be substituted;

(xiv) for the entry in column (4) occurring against tariff items 2825 50 00, 2825 60 10, 2825 60 20, 2825 70 10, 2825 70 20, 2825 70 90, 2825 80 00, 2825 90 10, 2825 90 20, 2825 90 40, 2825 90 50 and 2825 90 90, the entry "7.5%" shall be substituted;

(xv) for the entry in column (4) occurring against all the tariff items of headings 2826, 2827, 2828, 2829, 2830, 2831, 2832, 2833, 2834, 2835 and 2836, the entry "7.5%" shall be substituted;

(xvi) for the entry in column (4) occurring against all the tariff items of sub-headings 2837 19 and 2837 20, the entry "7.5%" shall be substituted;

(xvii) for the entry in column (4) occurring against all the tariff items of headings 2839, 2840, 2841 and 2842, the entry "7.5%" shall be substituted;

(xviii) for the entry in column (4) occurring against tariff item 2844 10 00, the entry "7.5%" shall be substituted;

(xix) for the entry in column (4) occurring against tariff item 2844 20 00, the entry "Free" shall be substituted;

(xx) for the entry in column (4) occurring against tariff items 2844 30 10, 2844 30 21, 2844 30 22, 2844 30 23, 2844 30 29, 2844 30 30, 2844 30 90, 2844 41 00, 2844 42 00, 2844 43 00, 2844 44 00 and 2844 50 00, the entry "7.5%" shall be substituted;

(xxi) for the entry in column (4) occurring against all the tariff items of headings 2845 and 2846, the entry "7.5%" shall be substituted;

(xxii) for the entry in column (4) occurring against tariff item 2847 00 00, the entry "7.5%" shall be substituted;

(xxiii) for the entry in column (4) occurring against all the tariff items of headings 2849, 2850, 2852 and 2853, the entry "7.5%" shall be substituted;

(23) in Chapter 29,—

(i) for the entry in column (4) occurring against all the tariff items of heading 2901, the entry “2.5%” shall be substituted;

(ii) for the entry in column (4) occurring against tariff items 2902 11 00, 2902 19 10, 2902 19 90, 2902 20 00 and 2902 30 00, the entry “2.5%” shall be substituted;

(iii) for the entry in column (4) occurring against tariff item 2902 41 00, the entry “Free” shall be substituted;

(iv) for the entry in column (4) occurring against tariff item 2902 42 00, the entry “2.5%” shall be substituted;

(v) for the entry in column (4) occurring against tariff item 2902 43 00, the entry “Free” shall be substituted;

(vi) for the entry in column (4) occurring against tariff item 2902 44 00, the entry “2.5%” shall be substituted;

(vii) for the entry in column (4) occurring against tariff item 2902 50 00, the entry “2%” shall be substituted;

(viii) for the entry in column (4) occurring against tariff items 2902 60 00, 2902 70 00, 2902 90 10, 2902 90 20, 2902 90 30, 2902 90 40, 2902 90 50, 2902 90 60 and 2902 90 90, the entry “2.5%” shall be substituted;

(ix) for the entry in column (4) occurring against tariff item 2903 11 10, the entry “7.5%” shall be substituted;

(x) for the entry in column (4) occurring against tariff item 2903 11 20, the entry “5%” shall be substituted;

(xi) for the entry in column (4) occurring against tariff items 2903 12 00 and 2903 13 00, the entry “7.5%” shall be substituted;

(xii) for the entry in column (4) occurring against tariff item 2903 14 00, the entry “5%” shall be substituted;

(xiii) for the entry in column (4) occurring against tariff item 2903 15 00, the entry “Free” shall be substituted;

(xiv) for the entry in column (4) occurring against all the tariff items of sub-heading 2903 19, the entry “5%” shall be substituted;

(xv) for the entry in column (4) occurring against tariff item 2903 21 00, the entry “2%” shall be substituted;

(xvi) for the entry in column (4) occurring against tariff item 2903 22 00, the entry “7.5%” shall be substituted;

(xvii) for the entry in column (4) occurring against tariff items 2903 23 00 and 2903 29 00, the entry “5%” shall be substituted;

(xviii) for the entry in column (4) occurring against tariff items 2903 41 00, 2903 42 00, 2903 43 00, 2903 44 00, 2903 45 00, 2903 46 00, 2903 47 00, 2903 48 00, 2903 49 00, 2903 51 00, 2903 59 10, 2903 59 90, 2903 61 00, 2903 62 00, 2903 69 00, 2903 71 00, 2903 72 00, 2903 73 00, 2903 74 00 and 2903 75 00, the entry “7.5%” shall be substituted;

(xix) for the entry in column (4) occurring against all the tariff items of sub-headings 2903 76 and 2903 77, the entry “7.5%” shall be substituted;

(xx) for the entry in column (4) occurring against tariff items 2903 78 00, 2903 79 00, 2903 81 00, 2903 82 00, 2903 83 00 and 2903 89 00, the entry “7.5%” shall be substituted;

(xxi) for the entry in column (4) occurring against all the tariff items of sub-headings 2903 91 and 2903 92, the entry “7.5%” shall be substituted;

(xxii) for the entry in column (4) occurring against tariff items 2903 93 00 and 2903 94 00, the entry “7.5%” shall be substituted;

(xxiii) for the entry in column (4) occurring against all the tariff items of sub-heading 2903 99, the entry “7.5%” shall be substituted;

(xxiv) for the entry in column (4) occurring against all the tariff items of heading 2904, the entry “5%” shall be substituted;

(xxv) for the entry in column (4) occurring against tariff item 2905 11 00, the entry “2.5%” shall be substituted;

(xxvi) for the entry in column (4) occurring against all the tariff items of sub-heading 2905 12, the entry “7.5%” shall be substituted;

(xxvii) for the entry in column (4) occurring against tariff item 2905 13 00, the entry “7.5%” shall be substituted;

(xxviii) for the entry in column (4) occurring against all the tariff items of sub-headings 2905 14 and 2905 16, the entry “7.5%” shall be substituted;

(xxix) for the entry in column (4) occurring against tariff item 2905 17 00, the entry “7.5%” shall be substituted;

(xxx) for the entry in column (4) occurring against all the tariff items of sub-headings 2905 19 and 2905 22, the entry “7.5%” shall be substituted;

(xxxi) for the entry in column (4) occurring against tariff item 2905 29 00, the entry “7.5%” shall be substituted;

(xxxii) for the entry in column (4) occurring against tariff item 2905 31 00, the entry “5%” shall be substituted;

(xxxiii) for the entry in column (4) occurring against tariff item 2905 32 00, the entry “7.5%” shall be substituted;

(xxxiv) for the entry in column (4) occurring against all the tariff items of sub-heading 2905 39, the entry “7.5%” shall be substituted;

(xxxv) for the entry in column (4) occurring against tariff item 2905 41 00, the entry “7.5%” shall be substituted;

(xxxvi) for the entry in column (4) occurring against all the tariff items of sub-heading 2905 42, the entry “7.5%” shall be substituted;

(xxxvii) for the entry in column (4) occurring against tariff items 2905 43 00 and 2905 44 00, the entry “20%” shall be substituted;

(xxxviii) for the entry in column (4) occurring against tariff items 2905 45 00, 2905 49 00, 2905 51 00 and 2905 59 00, the entry “7.5%” shall be substituted;

(xxxix) for the entry in column (4) occurring against all the tariff items of headings 2906, 2907 and 2908, the entry “7.5%” shall be substituted;

(xl) in the heading of sub-chapter IV, for the words “ETHER PEROXIDES”, the words “ETHER PEROXIDES, ACETAL AND HEMIACETAL PEROXIDES” shall be substituted;

(xli) for the entry in column (4) occurring against all the tariff items of heading 2909, the entry “7.5%” shall be substituted;

(xlii) in the entry in column (2) occurring against tariff item 2909 60 00, for the words “ether peroxides”, the words “ether peroxides, acetal and hemiacetal peroxides” shall be substituted;

(xliii) for the entry in column (4) occurring against tariff item 2910 10 00, the entry “7.5%” shall be substituted;

(xliv) for the entry in column (4) occurring against tariff item 2910 20 00, the entry “5%” shall be substituted;

(xlv) for the entry in column (4) occurring against tariff items 2910 30 00, 2910 40 00, 2910 50 00 and 2910 90 00, the entry “7.5%” shall be substituted;

(xlvi) for the entry in column (4) occurring against all the tariff items of headings 2911, 2912, 2913 and 2914, the entry “7.5%” shall be substituted;

(xlvii) for the entry in column (4) occurring against tariff items 2915 11 00, 2915 12 10, 2915 12 90 and 2915 13 00, the entry “7.5%” shall be substituted;

(xlviii) for the entry in column (4) occurring against tariff item 2915 21 00, the entry “5%” shall be substituted;

(xlix) for the entry in column (4) occurring against tariff item 2915 24 00, the entry “7.5%” shall be substituted;

(l) for the entry in column (4) occurring against all the tariff items of sub-heading 2915 29, the entry “7.5%” shall be substituted;

(li) for the entry in column (4) occurring against tariff items 2915 31 00, 2915 32 00, 2915 33 00 and 2915 36 00, the entry “7.5%” shall be substituted;

(lii) for the entry in column (4) occurring against all the tariff items of sub-headings 2915 39 and 2915 40, the entry “7.5%” shall be substituted;

(liii) for the entry in column (4) occurring against tariff item 2915 50 00, the entry “7.5%” shall be substituted;

(liv) for the entry in column (4) occurring against all the tariff items of sub-headings 2915 60, 2915 70 and 2915 90, the entry “7.5%” shall be substituted;

(lv) for the entry in column (4) occurring against all the tariff items of heading 2916, the entry “7.5%” shall be substituted;

(lvi) for the entry in column (4) occurring against all the tariff items of sub-heading 2917 11, the entry “7.5%” shall be substituted;

(lvii) for the entry in column (4) occurring against tariff item 2917 12 00, the entry “7.5%” shall be substituted;

(lviii) for the entry in column (4) occurring against all the tariff items of sub-heading 2917 13, the entry “7.5%” shall be substituted;

(lix) for the entry in column (4) occurring against tariff item 2917 14 00, the entry “7.5%” shall be substituted;

(lx) for the entry in column (4) occurring against all the tariff items of sub-heading 2917 19, the entry “7.5%” shall be substituted;

(lxi) for the entry in column (4) occurring against tariff items 2917 20 00, 2917 32 00, 2917 33 00, 2917 34 00 and 2917 35 00, the entry “7.5%” shall be substituted;

(lxii) for the entry in column (4) occurring against tariff items 2917 36 00 and 2917 37 00, the entry “5%” shall be substituted;

(lxiii) for the entry in column (4) occurring against all the tariff items of sub-heading 2917 39, the entry “7.5%” shall be substituted;

(lxiv) for the entry in column (4) occurring against all the tariff items of headings 2918, 2919, 2920, 2921, 2922, 2923, 2924 and 2925, the entry “7.5%” shall be substituted;

(lxv) for the entry in column (4) occurring against tariff item 2926 10 00, the entry “2.5%” shall be substituted;

(lxvi) for the entry in column (4) occurring against tariff items 2926 20 00, 2926 30 00, 2926 40 00 and 2926 90 00, the entry “7.5%” shall be substituted;

(lxvii) for the entry in column (4) occurring against all the tariff items of headings 2927, 2928, 2929, 2930, 2931 and 2932, the entry “7.5%” shall be substituted;

(lxviii) for the entry in column (4) occurring against tariff item 2933 11 00, the entry “7.5%” shall be substituted;

(lxix) for the entry in column (4) occurring against all the tariff items of sub-heading 2933 19, the entry “7.5%” shall be substituted;

(lxx) for the entry in column (4) occurring against tariff item 2933 21 00, the entry “7.5%” shall be substituted;

(lxxi) for the entry in column (4) occurring against all the tariff items of sub-heading 2933 29, the entry “7.5%” shall be substituted;

(lxxii) for the entry in column (4) occurring against tariff items 2933 31 00 and 2933 32 00, the entry “7.5%” shall be substituted;

(lxxiii) for the entry in column (4) occurring against all the tariff items of sub-heading 2933 33, the entry “7.5%” shall be substituted;

(lxxiv) for the entry in column (4) occurring against tariff items 2933 34 00, 2933 35 00, 2933 36 00 and 2933 37 00, the entry “7.5%” shall be substituted;

(lxxv) for the entry in column (4) occurring against all the tariff items of sub-heading 2933 39, the entry “7.5%” shall be substituted;

(lxxvi) for the entry in column (4) occurring against tariff items 2933 41 00, 2933 49 00, 2933 52 00, 2933 53 00, 2933 54 00 and 2933 55 00, the entry “7.5%” shall be substituted;

(lxxvii) for the entry in column (4) occurring against tariff item 2933 61 00, the entry “7.5%” shall be substituted;

(lxxviii) for the entry in column (4) occurring against all the tariff items of sub-heading 2933 69, the entry “7.5%” shall be substituted;

(lxxix) for the entry in column (4) occurring against tariff item 2933 71 00, the entry “5%” shall be substituted;

(lxxx) for the entry in column (4) occurring against tariff items 2933 72 00, 2933 79 10, 2933 79 20, 2933 79 90, 2933 91 00, 2933 92 00, 2933 99 10 and 2933 99 90, the entry “7.5%” shall be substituted;

(lxxxi) for the entry in column (4) occurring against all the tariff items of headings 2934, 2935, 2936, 2937, 2938 and 2939, the entry “7.5%” shall be substituted;

(lxxxii) for the entry in column (4) occurring against tariff item 2940 00 00, the entry “7.5%” shall be substituted;

(lxxxiii) for the entry in column (4) occurring against all the tariff items of headings 2941 and 2942, the entry “7.5%” shall be substituted;

(24) in Chapter 31,—

(i) for the entry in column (4) occurring against all the tariff items of heading 3101, the entry “7.5%” shall be substituted;

(ii) for the entry in column (4) occurring against all the tariff items of sub-heading 3102 29, the entry “7.5%” shall be substituted;

(iii) for the entry in column (4) occurring against tariff item 3102 40 00, the entry “7.5%” shall be substituted;

(iv) for the entry in column (4) occurring against tariff items 3102 60 00, 3102 80 00, 3102 90 10 and 3102 90 90, the entry “7.5%” shall be substituted;

(v) for the entry in column (4) occurring against all the tariff items of heading 3103, the entry “7.5%” shall be substituted;

(vi) for the entry in column (4) occurring against tariff item 3104 20 00, the entry “7.5%” shall be substituted;

(vii) for the entry in column (4) occurring against tariff item 3104 90 00, the entry “7.5%” shall be substituted;

(viii) for the entry in column (4) occurring against tariff item 3105 10 00, the entry “7.5%” shall be substituted;

(25) in Chapter 32,—

(i) for the entry in column (4) occurring against tariff item 3201 10 00, the entry “7.5%” shall be substituted;

(ii) for the entry in column (4) occurring against tariff item 3201 20 00, the entry “2.5%” shall be substituted;

(iii) for the entry in column (4) occurring against all the tariff items of sub-heading 3201 90, the entry “7.5%” shall be substituted;

(iv) for the entry in column (4) occurring against all the tariff items of headings 3202, 3203 and 3204, the entry “7.5%” shall be substituted;

(v) for the entry in column (4) occurring against tariff item 3205 00 00, the entry “7.5%” shall be substituted;

(vi) for the entry in column (4) occurring against tariff items 3206 20 00, 3206 41 00, 3206 42 00, 3206 49 10, 3206 49 20, 3206 49 30, 3206 49 40, 3206 49 90 and 3206 50 00, the entry “7.5%” shall be substituted;

(vii) for the entry in column (4) occurring against all the tariff items of heading 3207, the entry “7.5%” shall be substituted;

(26) in Chapter 33, for the entry in column (4) occurring against all the tariff items of heading 3301, the entry “20%” shall be substituted;

(27) in Chapter 34,—

(i) in the entry in column (2) occurring after heading 3402 and the entries relating thereto, for the words “surface active agents”, the words “surface-active agents” shall be substituted;

(ii) in the entry in column (2) occurring after tariff item 3402 39 00 and the entries relating thereto, for the words “surface active agents”, the words “surface-active agents” shall be substituted;

(iii) for the entry in column (4) occurring against all the tariff items of heading 3403, the entry “7.5%” shall be substituted;

(28) in Chapter 35, for the entry in column (4) occurring against all the tariff items of headings 3501, 3502, 3503, 3504 and 3505, the entry “20%” shall be substituted;

(29) in Chapter 38,—

(i) for the entry in column (4) occurring against all the tariff items of headings 3801 and 3802, the entry “7.5%” shall be substituted;

(ii) for the entry in column (4) occurring against tariff item 3803 00 00, the entry “7.5%” shall be substituted;

(iii) for the entry in column (4) occurring against all the tariff items of headings 3804, 3805, 3806 and 3807, the entry “7.5%” shall be substituted;

(iv) for the entry in column (4) occurring against tariff item 3809 10 00, the entry “20%” shall be substituted;

(v) for the entry in column (4) occurring against tariff items 3809 91 10, 3809 91 20, 3809 91 30, 3809 91 40, 3809 91 50, 3809 91 60, 3809 91 70, 3809 91 80, 3809 91 90, 3809 92 00, 3809 93 10 and 3809 93 90, the entry “7.5%” shall be substituted;

(vi) for the entry in column (4) occurring against all the tariff items of headings 3810, 3812 and 3815, the entry “7.5%” shall be substituted;

(vii) for the entry in column (4) occurring against tariff item 3816 00 00, the entry “7.5%” shall be substituted;

(viii) for the entry in column (4) occurring against all the tariff items of heading 3817, the entry “7.5%” shall be substituted;

(ix) for the entry in column (4) occurring against tariff item 3821 00 00, the entry “7.5%” shall be substituted;

(x) for the entry in column (4) occurring against all the tariff items of heading 3823, the entry “7.5%” shall be substituted;

(xi) for the entry in column (4) occurring against tariff items 3824 10 00, 3824 30 00, 3824 40 10, 3824 40 90, 3824 50 10, 3824 50 90, 3824 81 00, 3824 82 00, 3824 83 00, 3824 84 00, 3824 85 00, 3824 86 00, 3824 87 00, 3824 88 00, 3824 89 00, 3824 91 00 and 3824 92 00, the entry “7.5%” shall be substituted;

(xii) for the entry in column (4) occurring against all the tariff items of heading 3827, the entry “7.5%” shall be substituted;

(30) in Chapter 39,—

(i) after Sub-heading Notes, the following Supplementary Note shall be inserted, namely:—

“Supplementary Note:

1. In this Chapter, reference to any standard of the Bureau of Indian Standards refers to the last published version of that standard.”;

(ii) for the entry in column (4) occurring against all the tariff items of headings 3901, 3902 and 3903, the entry “7.5%” shall be substituted;

(iii) for the entry in column (4) occurring against all the tariff items of heading 3905, the entry “7.5%” shall be substituted;

(iv) for the entry in column (4) occurring against tariff items 3906 10 10, 3906 10 90, 3906 90 40, 3906 90 50, 3906 90 60 and 3906 90 90, the entry “7.5%” shall be substituted;

(v) for the entry in column (4) occurring against tariff item 3906 90 70, the entry “5%” shall be substituted;

(vi) for the entry in column (4) occurring against all the tariff items of headings 3907, 3909, 3910, 3911, 3912, 3913, 3914 and 3915, the entry “7.5%” shall be substituted;

(vii) in heading 3920, after tariff item 3920 10 12 and the entries relating thereto, the following shall be inserted, namely:—

“3920 10 13 - - - - Geomembrane, conforming to IS 16352 kg. 10% -”;

(31) in Chapter 40,—

(i) for the entry in column (4) occurring against tariff items 4001 21 00 and 4001 22 00, the entry “25% or Rs.30 per kg., whichever is lower” shall be substituted;

(ii) for the entry in column (4) occurring against all the tariff items of sub-heading 4001 29, the entry “25% or Rs.30 per kg., whichever is lower” shall be substituted;

(32) in Chapter 44, in Sub-heading Note 2, for the words “by products” and “saw dust”, the words “by-products” and “sawdust” shall respectively be substituted;

(33) in Section XI,—

(i) in clause (b) of Note 1, for the words “straining cloth”, the words “filtering or straining cloth” shall be substituted;

(ii) after Sub-heading Notes, the following Supplementary Note shall be inserted, namely:—

“Supplementary Note:

1. In this Section, reference to any standard of the Bureau of Indian Standards or ASTM International refers to the last published version of that standard.”;

(34) in Chapter 50,—

(i) for the entry in column (4) occurring against all the tariff items of headings 5002, 5003, 5004, 5005 and 5006, the entry “15%” shall be substituted;

(ii) for the entry in column (4) occurring against all the tariff items of heading 5007, the entry “20%” shall be substituted;

(35) in Chapter 51,—

(i) for the entry in column (4) occurring against all the tariff items of heading 5101, the entry “2.5%” shall be substituted;

(ii) for the entry in column (4) occurring against all the tariff items of heading 5102, the entry “5%” shall be substituted;

(iii) for the entry in column (4) occurring against tariff items 5103 10 10, 5103 20 10, 5103 20 20 and 5103 20 90, the entry “5%” shall be substituted;

(iv) for the entry in column (4) occurring against tariff items 5103 10 90 and 5103 30 00, the entry “10%” shall be substituted;

(v) for the entry in column (4) occurring against all the tariff items of heading 5104, the entry “10%” shall be substituted;

(vi) for the entry in column (4) occurring against tariff items 5105 10 00 and 5105 21 00, the entry “10%” shall be substituted;

(vii) for the entry in column (4) occurring against the tariff item 5105 29 10, the entry “2.5%” shall be substituted;

(viii) for the entry in column (4) occurring against tariff items 5105 29 90, 5105 31 00, 5105 39 00 and 5105 40 00, the entry “10%” shall be substituted;

(ix) for the entry in column (4) occurring against all the tariff items of headings 5106, 5107, 5108, 5109 and 5110, the entry “10%” shall be substituted;

(x) for the entry in column (4) occurring against all the tariff items of sub-heading 5111 11, the entry “10% or Rs.115 per sq.metre, whichever is higher” shall be substituted;

(xi) for the entry in column (4) occurring against all the tariff items of sub-heading 5111 19, the entry “10% or Rs.125 per sq.metre, whichever is higher” shall be substituted;

(xii) for the entry in column (4) occurring against all the tariff items of sub-headings 5111 20 and 5111 30, the entry “10% or Rs.65 per sq.metre, whichever is higher” shall be substituted;

(xiii) for the entry in column (4) occurring against all the tariff items of sub-heading 5111 90, the entry “10% or Rs.75 per sq.metre, whichever is higher” shall be substituted;

(xiv) for the entry in column (4) occurring against all the tariff items of sub-heading 5112 11, the entry “10% or Rs.105 per sq.metre, whichever is higher” shall be substituted;

(xv) for the entry in column (4) occurring against all the tariff items of sub-heading 5112 19, the entry “10% or Rs.130 per sq.metre, whichever is higher” shall be substituted;

(xvi) for the entry in column (4) occurring against all the tariff items of sub-heading 5112 20, the entry “10% or Rs.70 per sq.metre, whichever is higher” shall be substituted;

(xvii) for the entry in column (4) occurring against all the tariff items of sub-heading 5112 30, the entry “10% or Rs.90 per sq.metre, whichever is higher” shall be substituted;

(xviii) for the entry in column (4) occurring against all the tariff items of sub-heading 5112 90, the entry “10% or Rs.115 per sq.metre, whichever is higher” shall be substituted;

(xix) for the entry in column (4) occurring against all the tariff items of heading 5113, the entry “10% or Rs.60 per sq.metre, whichever is higher” shall be substituted;

(36) in Chapter 52,—

(i) for the entry in column (4) occurring against all the tariff items of heading 5201, the entry “5%” shall be substituted;

(ii) for the entry in column (4) occurring against all the tariff items of headings 5202, 5204, 5205, 5206 and 5207, the entry “10%” shall be substituted;

(iii) for the entry in column (4) occurring against all the tariff items of sub-headings 5208 11, 5208 12, 5208 13, 5208 19, 5208 21, 5208 22, 5208 23, 5208 29, 5208 31, 5208 32 and 5208 33, the entry "10%" shall be substituted;

(iv) for the entry in column (4) occurring against all the tariff items of sub-heading 5208 39, the entry "10% or Rs.150 per kg., whichever is higher" shall be substituted;

(v) for the entry in column (4) occurring against all the tariff items of sub-heading 5208 41, the entry "10% or Rs.9 per sq.metre, whichever is higher" shall be substituted;

(vi) for the entry in column (4) occurring against all the tariff items of sub-heading 5208 42, the entry "10% or Rs.22 per sq.metre, whichever is higher" shall be substituted;

(vii) for the entry in column (4) occurring against all the tariff items of sub-heading 5208 43, the entry "10%" shall be substituted;

(viii) for the entry in column (4) occurring against all the tariff items of sub-heading 5208 49, the entry "10% or Rs.143 per kg., whichever is higher" shall be substituted;

(ix) for the entry in column (4) occurring against all the tariff items of sub-heading 5208 51, the entry "10% or Rs.27 per sq.metre, whichever is higher" shall be substituted;

(x) for the entry in column (4) occurring against all the tariff items of sub-heading 5208 52, the entry "10% or Rs.14 per sq.metre, whichever is higher" shall be substituted;

(xi) for the entry in column (4) occurring against all the tariff items of sub-heading 5208 59, the entry "10% or Rs.30 per sq.metre, whichever is higher" shall be substituted;

(xii) for the entry in column (4) occurring against all the tariff items of sub-headings 5209 11, 5209 12, 5209 21, 5209 22 and 5209 29 and tariff item 5209 19 00, the entry "10%" shall be substituted;

(xiii) for the entry in column (4) occurring against all the tariff items of sub-headings 5209 31, 5209 32 and 5209 39, the entry "10% or Rs.150 per kg., whichever is higher" shall be substituted;

(xiv) for the entry in column (4) occurring against all the tariff items of sub-heading 5209 41, the entry "10% or Rs.30 per sq.metre, whichever is higher" shall be substituted;

(xv) for the entry in column (4) occurring against tariff item 5209 42 00, the entry "10% or Rs.25 per sq.metre, whichever is higher" shall be substituted;

(xvi) for the entry in column (4) occurring against all the tariff items of sub-heading 5209 43, the entry "10% or Rs.28 per sq.metre, whichever is higher" shall be substituted;

(xvii) for the entry in column (4) occurring against all the tariff items of sub-heading 5209 49, the entry "10% or Rs.150 per kg., whichever is higher" shall be substituted;

(xviii) for the entry in column (4) occurring against all the tariff items of sub-headings 5209 51 and 5209 52, the entry "10% or Rs.24 per sq.metre, whichever is higher" shall be substituted;

(xix) for the entry in column (4) occurring against all the tariff items of sub-heading 5209 59, the entry "10% or Rs.30 per sq.metre, whichever is higher" shall be substituted;

(xx) for the entry in column (4) occurring against all the tariff items of sub-headings 5210 11, 5210 21, 5210 29, 5210 31 and 5210 32, the entry “10%” shall be substituted;

(xxi) for the entry in column (4) occurring against all the tariff items of sub-heading 5210 39, the entry “10% or Rs.150 per kg., whichever is higher” shall be substituted;

(xxii) for the entry in column (4) occurring against all the tariff items of sub-heading 5210 41, the entry “10% or Rs.15 per sq.metre, whichever is higher” shall be substituted;

(xxiii) for the entry in column (4) occurring against all the tariff items of sub-heading 5210 49, the entry “10% or Rs.132 per kg., whichever is higher” shall be substituted;

(xxiv) for the entry in column (4) occurring against all the tariff items of sub-headings 5210 51 and 5210 59, the entry “10% or Rs.12 per sq.metre, whichever is higher” shall be substituted;

(xxv) for the entry in column (4) occurring against all the tariff items of sub-headings 5211 11 and 5211 12, the entry “10%” shall be substituted;

(xxvi) for the entry in column (4) occurring against tariff item 5211 19 00, the entry “10%” shall be substituted;

(xxvii) for the entry in column (4) occurring against all the tariff items of sub-heading 5211 20, the entry “10%” shall be substituted;

(xxviii) for the entry in column (4) occurring against all the tariff items of sub-headings 5211 31, 5211 32 and 5211 39, the entry “10% or Rs.150 per kg., whichever is higher” shall be substituted;

(xxix) for the entry in column (4) occurring against all the tariff items of sub-heading 5211 41, the entry “10% or Rs.35 per sq.metre, whichever is higher” shall be substituted;

(xxx) for the entry in column (4) occurring against tariff item 5211 42 00, the entry “10% or Rs.18 per sq.metre, whichever is higher” shall be substituted;

(xxxi) for the entry in column (4) occurring against all the tariff items of sub-heading 5211 43, the entry “10% or Rs.32 per sq.metre, whichever is higher” shall be substituted;

(xxxii) for the entry in column (4) occurring against all the tariff items of sub-heading 5211 49, the entry “10% or Rs.150 per kg., whichever is higher” shall be substituted;

(xxxiii) for the entry in column (4) occurring against all the tariff items of sub-headings 5211 51, 5211 52 and 5211 59, the entry “10% or Rs.12 per sq.metre, whichever is higher” shall be substituted;

(xxxiv) for the entry in column (4) occurring against tariff items 5212 11 00, 5212 12 00, 5212 13 00 and 5212 14 00, the entry “10%” shall be substituted;

(xxxv) for the entry in column (4) occurring against tariff item 5212 15 00, the entry “10% or Rs.165 per kg., whichever is higher” shall be substituted;

(xxxvi) for the entry in column (4) occurring against tariff items 5212 21 00, 5212 22 00 and 5212 23 00, the entry “10%” shall be substituted;

(xxxvii) for the entry in column (4) occurring against tariff item 5212 24 00, the entry “10% or Rs.20 per sq.metre, whichever is higher” shall be substituted;

(xxxviii) for the entry in column (4) occurring against tariff item 5212 25 00, the entry “10% or Rs.165 per kg., whichever is higher” shall be substituted;

(37) in Chapter 53,—

(i) for the entry in column (4) occurring against all the tariff items of heading 5301, the entry “Free” shall be substituted;

(ii) for the entry in column (4) occurring against tariff item 5303 10 10, the entry “5%” shall be substituted;

(iii) for the entry in column (4) occurring against tariff items 5303 10 90, 5303 90 10 and 5303 90 90, the entry “10%” shall be substituted;

(iv) for the entry in column (4) occurring against all the tariff items of headings 5305, 5306, 5307, 5308 and 5309, the entry “10%” shall be substituted;

(v) for the entry in column (4) occurring against all the tariff items of sub-heading 5310 10, the entry “20%” shall be substituted;

(vi) for the entry in column (4) occurring against all the tariff items of sub-heading 5310 90, the entry “10%” shall be substituted;

(vii) for the entry in column (4) occurring against all the tariff items of heading 5311, the entry “10%” shall be substituted;

(38) in Chapter 54,—

(i) for the entry in column (4) occurring against all the tariff items of heading 5401, the entry “5%” shall be substituted;

(ii) for the entry in column (4) occurring against tariff items 5402 11 10 and 5402 19 10, the entry “5%” shall be substituted;

(iii) after tariff item 5402 19 10 and the entries relating thereto, the following shall be inserted, namely:—

“5402 19 20 --- Nylon 66 filament yarn conforming to IS 13464 kg. 2.5% -”;

(iv) for the entry in column (4) occurring against tariff items 5402 19 90, 5402 20 10, 5402 20 90, 5402 31 00, 5402 32 00, 5402 33 00, 5402 34 00, 5402 39 10, 5402 39 20, 5402 39 90, 5402 44 00, 5402 45 00, 5402 46 00, 5402 47 00, 5402 48 00, 5402 49 00 and 5402 51 00, the entry “5%” shall be substituted;

(v) for tariff item 5402 52 00 and the entries relating thereto, the following shall be substituted, namely:—

“5402 52 -- *Of polyesters:*

5402 52 10 -- Polyester yarn-Anti Static Filament	kg.	2.5%	-
5402 52 90 --- Other	kg.	5%	-”;

(vi) for the entry in column (4) occurring against tariff items 5402 53 00, 5402 59 10, 5402 59 90, 5402 61 00, 5402 62 00, 5402 63 00, 5402 69 10, 5402 69 20, 5402 69 30, 5402 69 40 and 5402 69 50, the entry “5%” shall be substituted;

(vii) after tariff item 5402 69 50 and the entries relating thereto, the following shall be inserted, namely:—

“5402 69 60 --- Ultra high molecular weight poly ethylene filament yarn conforming to ASTMF2848	kg.	5%	-”;
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(viii) for the entry in column (4) occurring against tariff item 5402 69 90, the entry “5%” shall be substituted;

(ix) for the entry in column (4) occurring against all the tariff items of headings 5403 and 5404, the entry “5%” shall be substituted;

(x) for the entry in column (4) occurring against tariff item 5405 00 00, the entry “5%” shall be substituted;

(xi) for the entry in column (4) occurring against all the tariff items of heading 5406, the entry “5%” shall be substituted;

(xii) for the entry in column (4) occurring against tariff items 5407 10 11, 5407 10 12, 5407 10 13, 5407 10 14, 5407 10 15, 5407 10 16 and 5407 10 19, the entry “20% or Rs.115 per kg., whichever is higher” shall be substituted;

(xiii) for the entry in column (4) occurring against tariff item 5407 10 21, the entry “10% or Rs.115 per kg., whichever is higher” shall be substituted;

(xiv) for the entry in column (4) occurring against tariff items 5407 10 22, 5407 10 23, 5407 10 24 and 5407 10 25, the entry “20% or Rs.115 per kg., whichever is higher” shall be substituted;

(xv) for the entry in column (4) occurring against tariff item 5407 10 26, the entry “10% or Rs.115 per kg., whichever is higher” shall be substituted;

(xvi) for the entry in column (4) occurring against tariff items 5407 10 29 and 5407 10 31, the entry “20% or Rs.115 per kg., whichever is higher” shall be substituted;

(xvii) for the entry in column (4) occurring against tariff item 5407 10 32, the entry “10% or Rs.115 per kg., whichever is higher” shall be substituted;

(xviii) for the entry in column (4) occurring against tariff items 5407 10 33, 5407 10 34, 5407 10 35, 5407 10 36 and 5407 10 39, the entry “20% or Rs.115 per kg., whichever is higher” shall be substituted;

(xix) for the entry in column (4) occurring against tariff items 5407 10 41 and 5407 10 42, the entry “10% or Rs.115 per kg., whichever is higher” shall be substituted;

(xx) for the entry in column (4) occurring against tariff items 5407 10 43, 5407 10 44, 5407 10 45, 5407 10 46, 5407 10 49, 5407 10 91, 5407 10 92, 5407 10 93, 5407 10 94, 5407 10 95, 5407 10 96 and 5407 10 99, the entry “20% or Rs.115 per kg., whichever is higher” shall be substituted;

(xxi) for the entry in column (4) occurring against all the tariff items of sub-headings 5407 20 and 5407 30, the entry “20%” shall be substituted;

(xxii) for the entry in column (4) occurring against tariff item 5407 41 11, the entry “20% or Rs.30 per sq.metre, whichever is higher” shall be substituted;

(xxiii) for the entry in column (4) occurring against tariff item 5407 41 12, the entry “10% or Rs.30 per sq.metre, whichever is higher” shall be substituted;

(xxiv) for the entry in column (4) occurring against tariff item 5407 41 13, the entry “20% or Rs.30 per sq.metre, whichever is higher” shall be substituted;

(xxv) for the entry in column (4) occurring against tariff item 5407 41 14, the entry “10% or Rs.30 per sq.metre, whichever is higher” shall be substituted;

(xxvi) for the entry in column (4) occurring against tariff item 5407 41 19, the entry “20% or Rs.30 per sq.metre, whichever is higher” shall be substituted;

(xxvii) for the entry in column (4) occurring against tariff items 5407 41 21 and 5407 41 22, the entry “10% or Rs.30 per sq.metre, whichever is higher” shall be substituted;

(xxviii) for the entry in column (4) occurring against tariff item 5407 41 23, the entry “20% or Rs.30 per sq.metre, whichever is higher” shall be substituted;

(xxix) for the entry in column (4) occurring against tariff item 5407 41 24, the entry “10% or Rs.30 per sq.metre, whichever is higher” shall be substituted;

(xxx) for the entry in column (4) occurring against tariff item 5407 41 29, the entry “20% or Rs.30 per sq.metre, whichever is higher” shall be substituted;

(xxxi) for the entry in column (4) occurring against all the tariff items of sub-heading 5407 42, the entry “20% or Rs.36 per sq.metre, whichever is higher” shall be substituted;

(xxxii) for the entry in column (4) occurring against tariff item 5407 43 00, the entry “20% or Rs.40 per sq.metre, whichever is higher” shall be substituted;

(xxxiii) for the entry in column (4) occurring against tariff item 5407 44 10, the entry “20% or Rs.35 per sq.metre, whichever is higher” shall be substituted;

(xxxiv) for the entry in column (4) occurring against tariff item 5407 44 20, the entry “10% or Rs.35 per sq.metre, whichever is higher” shall be substituted;

(xxxv) for the entry in column (4) occurring against tariff items 5407 44 30, 5407 44 40 and 5407 44 90, the entry “20% or Rs.35 per sq.metre, whichever is higher” shall be substituted;

(xxxvi) for the entry in column (4) occurring against all the tariff items of sub-heading 5407 51, the entry “20% or Rs.11 per sq.metre, whichever is higher” shall be substituted;

(xxxvii) for the entry in column (4) occurring against all the tariff items of sub-heading 5407 52, the entry “20% or Rs.23 per sq.metre, whichever is higher” shall be substituted;

(xxxviii) for the entry in column (4) occurring against tariff item 5407 53 00, the entry “20% or Rs.30 per sq.metre, whichever is higher” shall be substituted;

(xxxix) for the entry in column (4) occurring against all the tariff items of sub-heading 5407 54, the entry “20% or Rs.20 per sq.metre, whichever is higher” shall be substituted;

(xl) for the entry in column (4) occurring against all the tariff items of sub-heading 5407 61, the entry “20% or Rs.150 per kg., whichever is higher” shall be substituted;

(xli) for the entry in column (4) occurring against tariff item 5407 69 00, the entry “20% or Rs.36 per sq.metre, whichever is higher” shall be substituted;

(xlii) for the entry in column (4) occurring against all the tariff items of sub-heading 5407 71, the entry “20% or Rs.10 per sq.metre, whichever is higher” shall be substituted;

(xliii) for the entry in column (4) occurring against tariff item 5407 72 00, the entry “20% or Rs.24 per sq.metre, whichever is higher” shall be substituted;

(xliv) for the entry in column (4) occurring against tariff item 5407 73 00, the entry “20% or Rs.36 per sq.metre, whichever is higher” shall be substituted;

(xlv) for the entry in column (4) occurring against tariff item 5407 74 00, the entry “20% or Rs.23 per sq.metre, whichever is higher” shall be substituted;

(xlvi) for the entry in column (4) occurring against tariff items 5407 81 11, 5407 81 12, 5407 81 13 and 5407 81 14, the entry “20% or Rs.10 per sq.metre, whichever is higher” shall be substituted;

(*xlvi*) for the entry in column (4) occurring against tariff items 5407 81 15 and 5407 81 16, the entry “10% or Rs.10 per sq.metre, whichever is higher” shall be substituted;

(*xlvi*) for the entry in column (4) occurring against tariff item 5407 81 19, the entry “20% or Rs.10 per sq.metre, whichever is higher” shall be substituted;

(*xl*) for the entry in column (4) occurring against tariff item 5407 81 21, the entry “10% or Rs.10 per sq.metre, whichever is higher” shall be substituted;

(*l*) for the entry in column (4) occurring against tariff items 5407 81 22 and 5407 81 23, the entry “20% or Rs.10 per sq.metre, whichever is higher” shall be substituted;

(*li*) for the entry in column (4) occurring against tariff items 5407 81 24, 5407 81 25 and 5407 81 26, the entry “10% or Rs.10 per sq.metre, whichever is higher” shall be substituted;

(*lii*) for the entry in column (4) occurring against tariff item 5407 81 29, the entry “20% or Rs.10 per sq.metre, whichever is higher” shall be substituted;

(*liii*) for the entry in column (4) occurring against tariff items 5407 82 10, 5407 82 20, 5407 82 30 and 5407 82 40, the entry “20% or Rs.25 per sq.metre, whichever is higher” shall be substituted;

(*liv*) for the entry in column (4) occurring against tariff item 5407 82 50, the entry “10% or Rs.25 per sq.metre, whichever is higher” shall be substituted;

(*lv*) for the entry in column (4) occurring against tariff items 5407 82 60 and 5407 82 90, the entry “20% or Rs.25 per sq.metre, whichever is higher” shall be substituted;

(*lvi*) for the entry in column (4) occurring against tariff item 5407 83 00, the entry “20% or Rs.40 per sq.metre, whichever is higher” shall be substituted;

(*lvii*) for the entry in column (4) occurring against tariff items 5407 84 10, 5407 84 20, 5407 84 30 and 5407 84 40, the entry “20% or Rs.23 per sq.metre, whichever is higher” shall be substituted;

(*lviii*) for the entry in column (4) occurring against tariff item 5407 84 50, the entry “10% or Rs.23 per sq.metre, whichever is higher” shall be substituted;

(*lix*) for the entry in column (4) occurring against tariff items 5407 84 60, 5407 84 70 and 5407 84 90, the entry “20% or Rs.23 per sq.metre, whichever is higher” shall be substituted;

(*lx*) for the entry in column (4) occurring against all the tariff items of sub-heading 5407 91, the entry “20% or Rs.15 per sq.metre, whichever is higher” shall be substituted;

(*lxi*) for the entry in column (4) occurring against tariff item 5407 92 00, the entry “20% or Rs.40 per sq.metre, whichever is higher” shall be substituted;

(*lxii*) for the entry in column (4) occurring against tariff item 5407 93 00, the entry “20% or Rs.27 per sq.metre, whichever is higher” shall be substituted;

(*lxiii*) for the entry in column (4) occurring against tariff item 5407 94 00, the entry “20% or Rs.40 per sq.metre, whichever is higher” shall be substituted;

(*lxiv*) for the entry in column (4) occurring against tariff item 5408 10 00, the entry “20%” shall be substituted;

(*lxv*) for the entry in column (4) occurring against all the tariff items of sub-heading 5408 21, the entry “20%” shall be substituted;

(*lxvi*) for the entry in column (4) occurring against all the tariff items of sub-heading 5408 22, the entry “20% or Rs.27 per sq.metre, whichever is higher” shall be substituted;

(*lxvii*) for the entry in column (4) occurring against tariff item 5408 23 00, the entry “20% or Rs.28 per sq.metre, whichever is higher” shall be substituted;

(*lxviii*) for the entry in column (4) occurring against tariff item 5408 24 11, the entry “20% or Rs.52 per sq.metre, whichever is higher” shall be substituted;

(*lix*) for the entry in column (4) occurring against tariff items 5408 24 12 and 5408 24 13, the entry “10% or Rs.52 per sq.metre, whichever is higher” shall be substituted;

(*lxx*) for the entry in column (4) occurring against tariff item 5408 24 14, the entry “20% or Rs.52 per sq.metre, whichever is higher” shall be substituted;

(*lxxi*) for the entry in column (4) occurring against tariff item 5408 24 15, the entry “10% or Rs.52 per sq.metre, whichever is higher” shall be substituted;

(*lxxii*) for the entry in column (4) occurring against tariff items 5408 24 16 and 5408 24 17, the entry “20% or Rs.52 per sq.metre, whichever is higher” shall be substituted;

(*lxxiii*) for the entry in column (4) occurring against tariff item 5408 24 18, the entry “10% or Rs.52 per sq.metre, whichever is higher” shall be substituted;

(*lxxiv*) for the entry in column (4) occurring against tariff items 5408 24 19 and 5408 24 90, the entry “20% or Rs.52 per sq.metre, whichever is higher” shall be substituted;

(*lxxv*) for the entry in column (4) occurring against all the tariff items of sub-heading 5408 31, the entry “20% or Rs.25 per sq.metre, whichever is higher” shall be substituted;

(*lxxvi*) for the entry in column (4) occurring against all the tariff items of sub-heading 5408 32, the entry “20% or Rs.44 per sq.metre, whichever is higher” shall be substituted;

(*lxxvii*) for the entry in column (4) occurring against tariff item 5408 33 00, the entry “20% or Rs.10 per sq.metre, whichever is higher” shall be substituted;

(*lxxviii*) for the entry in column (4) occurring against all the tariff items of sub-heading 5408 34, the entry “20% or Rs.11 per sq.metre, whichever is higher” shall be substituted;

(39) in Chapter 55,—

(i) after the Note, the following Supplementary Note shall be inserted, namely:—

“Supplementary Note:

For the purposes of this Chapter, inherent Fire Retardant (FR) fibres, as specified in IS 11871, IS 13501, IS 15742, IS 15742 A, are those in which the FR properties are naturally part of the polymer backbone and can never be worn away or washed out.”;

(ii) for the entry in column (4) occurring against all the tariff items of headings 5501 and 5502, the entry “5%” shall be substituted;

(iii) for tariff item 5503 11 00 and the entries relating thereto, the following shall be substituted, namely:—

“5503 11 -- *Of aramids:*

5503 11 10 --- Aramid Flame Retardant Fibre

kg. 2.5% -

5503 11 20	---	Para- aramid Fibre	kg.	2.5%	-
5503 11 90	---	Other	kg.	5%	-";

(iv) for tariff item 5503 19 00 and the entries relating thereto, the following shall be substituted, namely:—

"5503 19	--	<i>Other:</i>			
5503 19 10	---	Nylon Staple Fibre	kg.	2.5%	-
5503 19 20	---	Nylon Anti Static Staple Fibre	kg.	2.5%	-
5503 19 30	---	Nylon 66 fibre conforming to IS 13464	kg.	2.5%	-
5503 19 90	---	Other	kg.	5%	-";

(v) for the entry in column (4) occurring against tariff item 5503 20 00, the entry "5%" shall be substituted;

(vi) for tariff item 5503 30 00 and the entries relating thereto, the following shall be substituted, namely:—

"5503 30	-	<i>Acrylic or modacrylic:</i>			
5503 30 10	---	Pre Oxidised Fibre, conforming to IS 17308	kg.	2.5%	-
5503 30 90	---	Other	kg.	5%	-";

(vii) for the entry in column (4) occurring against tariff items 5503 40 00, 5503 90 10 and 5503 90 20, the entry "5%" shall be substituted;

(viii) after tariff item 5503 90 20 and the entries relating thereto, the following shall be inserted, namely:—

"5503 90 30	---	Ultra high molecular weight poly ethylene staple fibre conforming to ASTM F2848	kg.	5%	-";
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(ix) for the entry in column (4) occurring against tariff item 5503 90 90, the entry "5%" shall be substituted;

(x) for sub-heading 5504 10, tariff items 5504 10 10 to 5504 10 90 and the entries relating thereto, the following shall be substituted, namely:—

"5504 10	-	<i>Of viscose rayon:</i>			
	---	<i>Obtained from wood other than bamboo:</i>			
5504 10 11	----	Flame retardant Viscose Rayon fibre	kg.	2.5%	-
5504 10 19	----	Other	kg.	5%	-
	---	<i>Obtained from bamboo:</i>			
5504 10 21	----	Flame retardant Viscose Rayon fibre	kg.	2.5%	-
5504 10 29	----	Other	kg.	5%	-
5504 10 90	---	Other	kg.	5%	-";

(xi) for the entry in column (4) occurring against tariff items 5504 90 10, 5504 90 20, 5504 90 30 and 5504 90 90, the entry "5%" shall be substituted;

(xii) for the entry in column (4) occurring against all the tariff items of headings 5505, 5506, 5507 and 5508, the entry "5%" shall be substituted;

(xiii) for the entry in column (4) occurring against tariff items 5509 11 00, 5509 12 00, 5509 21 00, 5509 22 00, 5509 31 00, 5509 32 00, 5509 41 10, 5509 41 20, 5509 41 30, 5509 41 90, 5509 42 10, 5509 42 20, 5509 42 30, 5509 42 90, 5509 51 00, 5509 52 00, 5509 53 00, 5509 59 00, 5509 61 00, 5509 62 00, 5509 69 00, 5509 91 00 and 5509 92 00, the entry "5%" shall be substituted;

(xiv) for tariff item 5509 99 00 and the entries relating thereto, the following shall be substituted, namely:—

"5509 99	--	<i>Other:</i>			
5509 99 10	---	Yarn made of 100% inherent FR synthetic fibre	kg.	5%	-
5509 99 90	---	Other	kg.	5%	-";

(xv) for the entry in column (4) occurring against tariff items 5510 11 10, 5510 11 20, 5510 11 90, 5510 12 10, 5510 12 20, 5510 12 90, 5510 20 10, 5510 20 20, 5510 20 90, 5510 30 10, 5510 30 20, 5510 30 90, 5510 90 10 and 5510 90 20, the entry “5%” shall be substituted;

(xvi) after tariff item 5510 90 20 and the entries relating thereto, the following shall be inserted, namely:—

“55109030 --- Yarn made of 100% inherent FR artificial fibre kg. 5% -”;

(xvii) for the entry in column (4) occurring against tariff item 5510 90 90, the entry “5%” shall be substituted;

(xviii) for the entry in column (4) occurring against all the tariff items of heading 5511, the entry “10%” shall be substituted;

(xix) for the entry in column (4) occurring against all the tariff items of sub-heading 5512 11, the entry “20%” shall be substituted;

(xx) for the entry in column (4) occurring against all the tariff items of sub-heading 5512 19, the entry “20% or Rs.25 per sq.metre, whichever is higher” shall be substituted;

(xxi) for the entry in column (4) occurring against all the tariff items of sub-heading 5512 21, the entry “20%” shall be substituted;

(xxii) for the entry in column (4) occurring against all the tariff items of sub-heading 5512 29, the entry “20% or Rs.28 per sq.metre, whichever is higher” shall be substituted;

(xxiii) for the entry in column (4) occurring against all the tariff items of sub-heading 5512 91, the entry “20%” shall be substituted;

(xxiv) for the entry in column (4) occurring against all the tariff items of sub-heading 5512 99, the entry “20% or Rs.54 per kg., whichever is higher” shall be substituted;

(xxv) for the entry in column (4) occurring against all the tariff items of sub-headings 5513 11, 5513 12, 5513 13 and 5513 19, the entry “20%” shall be substituted;

(xxvi) for the entry in column (4) occurring against tariff item 5513 21 00, the entry “20% or Rs.107 per kg., whichever is higher” shall be substituted;

(xxvii) for the entry in column (4) occurring against tariff item 5513 23 00, the entry “20% or Rs.125 per kg. or Rs.25 per sq.metre, whichever is highest” shall be substituted;

(xxviii) for the entry in column (4) occurring against tariff item 5513 29 00, the entry “20% or Rs.185 per kg., whichever is higher” shall be substituted;

(xxix) for the entry in column (4) occurring against tariff item 5513 31 00, the entry “20% or Rs.21 per sq.metre, whichever is higher” shall be substituted;

(xxx) for the entry in column (4) occurring against tariff item 5513 39 00, the entry “20% or Rs.125 per kg. or Rs.25 per sq.metre, whichever is highest” shall be substituted;

(xxxi) for the entry in column (4) occurring against tariff item 5513 41 00, the entry “20% or Rs.15 per sq.metre, whichever is higher” shall be substituted;

(xxxii) for the entry in column (4) occurring against tariff item 5513 49 00, the entry “20% or Rs.185 per kg., whichever is higher” shall be substituted;

(xxxiii) for the entry in column (4) occurring against all the tariff items of sub-headings 5514 11, 5514 12 and 5514 19, the entry “20%” shall be substituted;

(xxxiv) for the entry in column (4) occurring against tariff item 5514 21 00, the entry “20% or Rs.100 per kg. or Rs.30 per sq.metre, whichever is highest” shall be substituted;

(xxxv) for the entry in column (4) occurring against tariff item 5514 22 00, the entry “20% or Rs.100 per kg., whichever is higher” shall be substituted;

(xxxvi) for the entry in column (4) occurring against tariff item 5514 23 00, the entry “20% or Rs.114 per kg., whichever is higher” shall be substituted;

(xxxvii) for the entry in column (4) occurring against tariff item 5514 29 00, the entry “20% or Rs.121 per kg., whichever is higher” shall be substituted;

(xxxviii) for the entry in column (4) occurring against tariff item 5514 30 11, the entry “20% or Rs.45 per sq.metre, whichever is higher” shall be substituted;

(xxxix) for the entry in column (4) occurring against tariff item 5514 30 12, the entry “20% or Rs.26 per sq.metre, whichever is higher” shall be substituted;

(xl) for the entry in column (4) occurring against tariff item 5514 30 13, the entry “20% or Rs.180 per kg., whichever is higher” shall be substituted;

(xli) for the entry in column (4) occurring against tariff item 5514 30 19, the entry “20% or Rs.31 per sq.metre, whichever is higher” shall be substituted;

(xlii) for the entry in column (4) occurring against tariff item 5514 41 00, the entry “20% or Rs.26 per sq.metre, whichever is higher” shall be substituted;

(xliii) for the entry in column (4) occurring against tariff item 5514 42 00, the entry “20% or Rs.140 per kg., whichever is higher” shall be substituted;

(xliv) for the entry in column (4) occurring against tariff item 5514 43 00, the entry “20% or Rs.31 per sq.metre, whichever is higher” shall be substituted;

(xlv) for the entry in column (4) occurring against tariff item 5514 49 00, the entry “20% or Rs.114 per kg., whichever is higher” shall be substituted;

(xlvi) for the entry in column (4) occurring against all the tariff items of sub-heading 5515 11, the entry “20% or Rs.40 per sq.metre, whichever is higher” shall be substituted;

(xlvii) for the entry in column (4) occurring against all the tariff items of sub-heading 5515 12, the entry “20% or Rs.95 per kg., whichever is higher” shall be substituted;

(xlviii) for the entry in column (4) occurring against all the tariff items of sub-heading 5515 13, the entry “20% or Rs.75 per sq.metre, whichever is higher” shall be substituted;

(xlix) for the entry in column (4) occurring against all the tariff items of sub-heading 5515 19, the entry “20% or Rs.45 per sq.metre, whichever is higher” shall be substituted;

(l) for the entry in column (4) occurring against all the tariff items of sub-heading 5515 21, the entry “20% or Rs.55 per sq.metre, whichever is higher” shall be substituted;

(li) for the entry in column (4) occurring against tariff items 5515 22 10 and 5515 22 20, the entry “10% or Rs.140 per kg., whichever is higher” shall be substituted;

(lii) for the entry in column (4) occurring against tariff item 5515 22 30, the entry “20% or Rs.140 per kg., whichever is higher” shall be substituted;

(liii) for the entry in column (4) occurring against tariff item 5515 22 40, the entry “10% or Rs.140 per kg., whichever is higher” shall be substituted;

(liv) for the entry in column (4) occurring against tariff item 5515 22 90, the entry “20% or Rs.140 per kg., whichever is higher” shall be substituted;

(lv) for the entry in column (4) occurring against tariff items 5515 29 10 and 5515 29 20, the entry “10% or Rs.30 per sq.metre, whichever is higher” shall be substituted;

(lvi) for the entry in column (4) occurring against tariff items 5515 29 30, 5515 29 40 and 5515 29 90, the entry “20% or Rs.30 per sq.metre, whichever is higher” shall be substituted;

(lvii) for the entry in column (4) occurring against all the tariff items of sub-heading 5515 91, the entry “20% or Rs.40 per sq.metre, whichever is higher” shall be substituted;

(lviii) for the entry in column (4) occurring against tariff items 5515 99 10, 5515 99 20, 5515 99 30 and 5515 99 40, the entry “20% or Rs.35 per sq.metre, whichever is higher” shall be substituted;

(lix) after tariff item 5515 99 40 and the entries relating thereto, the following shall be inserted, namely:—

“5515 99 50 ---	Fabrics made of 100% inherent FR synthetic fibre	m ²	20% or Rs. 35 per sq. metre, which- ever is higher -”;
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(lx) for the entry in column (4) occurring against tariff item 5515 99 90, the entry “20% or Rs.35 per sq.metre, whichever is higher” shall be substituted;

(lxi) for the entry in column (4) occurring against all the tariff items of sub-heading 5516 11, the entry “20%” shall be substituted;

(lxii) for the entry in column (4) occurring against tariff item 5516 12 00, the entry “20% or Rs.35 per sq.metre, whichever is higher” shall be substituted;

(lxiii) for the entry in column (4) occurring against tariff item 5516 13 00, the entry “20% or Rs.40 per sq.metre, whichever is higher” shall be substituted;

(lxiv) for the entry in column (4) occurring against all the tariff items of sub-heading 5516 14, the entry “20% or Rs.12 per sq.metre, whichever is higher” shall be substituted;

(lxv) for the entry in column (4) occurring against all the tariff items of sub-heading 5516 21, the entry “20%” shall be substituted;

(lxvi) for the entry in column (4) occurring against tariff items 5516 22 00 and 5516 23 00, the entry “20% or Rs.150 per kg., whichever is higher” shall be substituted;

(lxvii) for the entry in column (4) occurring against tariff item 5516 24 00, the entry “20% or Rs.12 per sq.metre, whichever is higher” shall be substituted;

(lxviii) for the entry in column (4) occurring against tariff item 5516 31 10, the entry “20%” shall be substituted;

(lxix) for the entry in column (4) occurring against tariff item 5516 31 20, the entry “10%” shall be substituted;

(lxx) for the entry in column (4) occurring against tariff items 5516 32 00, 5516 33 00, 5516 34 00, 5516 41 10, 5516 41 20 and 5516 42 00, the entry “20%” shall be substituted;

(lxxi) for the entry in column (4) occurring against tariff items 5516 43 00 and 5516 44 00, the entry “20% or Rs.12 per sq.metre, whichever is higher” shall be substituted;

(lxxii) for the entry in column (4) occurring against tariff items 5516 91 10, 5516 91 20 and 5516 92 00, the entry “20%” shall be substituted;

(lxxiii) for the entry in column (4) occurring against tariff item 5516 93 00, the entry “20% or Rs.21 per sq.metre, whichever is higher” shall be substituted;

(lxxiv) for the entry in column (4) occurring against tariff item 5516 94 00, the entry “20% or Rs.40 per sq.metre, whichever is higher” shall be substituted;

(40) in Chapter 56,—

(i) for the entry in column (4) occurring against all the tariff items of sub-heading 5601 21, the entry “10%” shall be substituted;

(ii) for the entry in column (4) occurring against tariff items 5601 22 00 and 5601 29 00, the entry “10%” shall be substituted;

(iii) for the entry in column (4) occurring against tariff item 5601 30 00, the entry “20%” shall be substituted;

(iv) for the entry in column (4) occurring against all the tariff items of heading 5602, the entry “10%” shall be substituted;

(v) for tariff item 5603 11 00 and the entries relating thereto, the following shall be substituted, namely:—

“5603 11	--	<i>Weighing not more than 25g/m²:</i>			
5603 11 10	---	Crop covers, conforming to IS 16718	kg.	20%	-
5603 11 90	---	Other	kg.	20%	-”;

(vi) for the entry in column (4) occurring against tariff item 5603 12 00, the entry “20%” shall be substituted;

(vii) for the entry in column (4) occurring against tariff item 5603 13 00, the entry “10%” shall be substituted;

(viii) for the entry in column (4) occurring against tariff item 5603 14 00, the entry “20%” shall be substituted;

(ix) for the entry in column (4) occurring against tariff item 5603 91 00, the entry “10%” shall be substituted;

(x) for the entry in column (4) occurring against tariff item 5603 92 00, the entry “20%” shall be substituted;

(xi) for tariff items 5603 93 00 and 5603 94 00 and the entries relating thereto, the following shall be substituted, namely:—

“5603 93	--	<i>Weighing more than 70g/ m² but not more than 150 g/m²:</i>			
5603 93 10	---	Mulch Mats, conforming to IS 17355	kg.	10%	-
5603 93 90	---	Other	kg.	10%	-
5603 94	--	<i>Weighing more than 150 g/m²:</i>			
5603 94 10	---	Non-woven Geotextile and articles thereof, Conforming to IS 16391, IS 16392	kg.	20%	-
5603 94 20	---	Mulch Mats, conforming to IS 17355	kg.	20%	-
5603 94 90	---	Other	kg.	20%	-”;

(xii) for the entry in column (4) occurring against all the tariff items of headings 5604, 5605, 5606, 5607, 5608 and 5609, the entry “10%” shall be substituted;

(41) in Chapter 57,—

(i) for the entry in column (4) occurring against all the tariff items of heading 5701, the entry “20%” shall be substituted;

(ii) for the entry in column (4) occurring against tariff items 5702 10 00, 5702 20 10, 5702 20 20 and 5702 20 90, the entry “20%” shall be substituted;

(iii) for the entry in column (4) occurring against all the tariff items of sub-heading 5702 31, the entry “20%” shall be substituted;

(iv) for the entry in column (4) occurring against all the tariff items of sub-heading 5702 32, the entry “20% or Rs.105 per sq.metre, whichever is higher” shall be substituted;

(v) for the entry in column (4) occurring against all the tariff items of sub-headings 5702 39 and 5702 41, the entry “20%” shall be substituted;

(vi) for the entry in column (4) occurring against all the tariff items of sub-heading 5702 42, the entry “20% or Rs.80 per sq.metre, whichever is higher” shall be substituted;

(vii) for the entry in column (4) occurring against all the tariff items of sub-heading 5702 49, the entry “20%” shall be substituted;

(viii) for the entry in column (4) occurring against tariff items 5702 50 21, 5702 50 22 and 5702 50 29, the entry “20% or Rs.105 per sq.metre, whichever is higher” shall be substituted;

(ix) for the entry in column (4) occurring against tariff items 5702 50 31, 5702 50 32, 5702 50 33 and 5702 50 39, the entry “20%” shall be substituted;

(x) for the entry in column (4) occurring against tariff item 5702 91 10, the entry “20%” shall be substituted;

(xi) for the entry in column (4) occurring against tariff item 5702 91 20, the entry “10%” shall be substituted;

(xii) for the entry in column (4) occurring against tariff items 5702 91 30 and 5702 91 90, the entry “20%” shall be substituted;

(xiii) for the entry in column (4) occurring against all the tariff items of sub-heading 5702 92, the entry “20% or Rs.110 per sq.metre, whichever is higher” shall be substituted;

(xiv) for the entry in column (4) occurring against all the tariff items of sub-heading 5702 99, the entry “20%” shall be substituted;

(xv) for the entry in column (4) occurring against all the tariff items of sub-heading 5703 10, the entry “20%” shall be substituted;

(xvi) for the entry in column (4) occurring against tariff items 5703 21 00, 5703 29 10, 5703 29 20 and 5703 29 90, the entry “20% or Rs.70 per sq.metre, whichever is higher” shall be substituted;

(xvii) for the entry in column (4) occurring against tariff items 5703 31 00, 5703 39 10, 5703 39 20 and 5703 39 90, the entry “20% or Rs.55 per sq.metre, whichever is higher” shall be substituted;

(xviii) for the entry in column (4) occurring against all the tariff items of sub-heading 5703 90, the entry “20%” shall be substituted;

(xix) for the entry in column (4) occurring against tariff items 5704 10 00 and 5704 20 10, the entry “20%” shall be substituted;

(xx) for the entry in column (4) occurring against tariff item 5704 20 20, the entry “10%” shall be substituted;

(xxi) for the entry in column (4) occurring against tariff item 5704 20 90, the entry “20%” shall be substituted;

(xxii) for the entry in column (4) occurring against all the tariff items of sub-heading 5704 90, the entry “20% or Rs.35 per sq.metre, whichever is higher” shall be substituted;

(xxiii) for the entry in column (4) occurring against all the tariff items of heading 5705, the entry “20%” shall be substituted;

(42) in Chapter 58,—

(i) after the Notes, the following Supplementary Note shall be inserted, namely:—

“Supplementary Note:

1.(a) For the purposes of this Chapter, “Lucknow Chikan craft” refers to a type of embroidery defined and recognised by the Geographical Indication (GI) Registry against the GI no.119 under the Geographical Indication of Goods (Registration and Protection) Act, 1999(48 of 1999).

(b) Produced/manufactured by a person certified/recognised and mentioned as a user in the Geographical Indication Registry against the said GI no.119.”;

(ii) for the entry in column (4) occurring against tariff item 5801 10 00, the entry “10% or Rs.210 per sq.metre, whichever is higher” shall be substituted;

(iii) for the entry in column (4) occurring against tariff item 5801 21 00, the entry “10% or Rs.80 per sq.metre, whichever is higher” shall be substituted;

(iv) for the entry in column (4) occurring against all the tariff items of sub-heading 5801 22, the entry “10% or Rs.70 per sq.metre, whichever is higher” shall be substituted;

(v) for the entry in column (4) occurring against tariff item 5801 23 00, the entry “10% or Rs.80 per sq.metre, whichever is higher” shall be substituted;

(vi) for the entry in column (4) occurring against tariff item 5801 26 00, the entry “10% or Rs.180 per sq.metre, whichever is higher” shall be substituted;

(vii) for the entry in column (4) occurring against tariff item 5801 27 10, the entry “10% or Rs.135 per sq.metre, whichever is higher” shall be substituted;

(viii) for the entry in column (4) occurring against tariff item 5801 27 20, the entry “10% or Rs.120 per sq.metre, whichever is higher” shall be substituted;

(ix) for the entry in column (4) occurring against tariff item 5801 27 90, the entry “10% or Rs.135 per sq.metre, whichever is higher” shall be substituted;

(x) for the entry in column (4) occurring against tariff item 5801 31 00, the entry “20% or Rs.75 per sq.metre, whichever is higher” shall be substituted;

(xi) for the entry in column (4) occurring against tariff item 5801 32 00, the entry “20% or Rs.180 per sq.metre, whichever is higher” shall be substituted;

(xii) for the entry in column (4) occurring against tariff item 5801 33 00, the entry “20% or Rs.150 per sq.metre, whichever is higher” shall be substituted;

(xiii) for the entry in column (4) occurring against all the tariff items of sub-heading 5801 36, the entry “20% or Rs.130 per sq.metre, whichever is higher” shall be substituted;

(xiv) for the entry in column (4) occurring against tariff item 5801 37 10, the entry “20% or Rs.140 per sq.metre, whichever is higher” shall be substituted;

(xv) for the entry in column (4) occurring against tariff item 5801 37 20, the entry “20% or Rs.68 per sq.metre, whichever is higher” shall be substituted;

(xvi) for the entry in column (4) occurring against tariff item 5801 37 90, the entry “20% or Rs.140 per sq.metre, whichever is higher” shall be substituted;

(xvii) for the entry in column (4) occurring against all the tariff items of sub-heading 5801 90, the entry “10% or Rs.35 per sq.metre, whichever is higher” shall be substituted;

(xviii) for the entry in column (4) occurring against tariff item 5802 10 10, the entry “10%” shall be substituted;

(xix) for the entry in column (4) occurring against tariff items 5802 10 20, 5802 10 30, 5802 10 40, 5802 10 50, 5802 10 60 and 5802 10 90, the entry “10% or Rs. 60 per sq.metre, whichever is higher” shall be substituted;

(xx) for the entry in column (4) occurring against tariff item 5802 20 00, the entry “10%” shall be substituted;

(xxi) for the entry in column (4) occurring against tariff item 5802 30 00, the entry “10% or Rs.150 per kg., whichever is higher” shall be substituted;

(xxii) for the entry in column (4) occurring against all the tariff items of heading 5803, the entry “10%” shall be substituted;

(xxiii) for the entry in column (4) occurring against all the tariff items of sub-heading 5804 10, the entry “10% or Rs. 200 per kg., whichever is higher” shall be substituted;

(xxiv) for the entry in column (4) occurring against tariff item 5804 21 00, the entry “20% or Rs. 200 per kg., whichever is higher” shall be substituted;

(xxv) for the entry in column (4) occurring against tariff items 5804 29 10, 5804 29 90 and 5804 30 00, the entry “10% or Rs. 200 per kg., whichever is higher” shall be substituted;

(xxvi) for the entry in column (4) occurring against all the tariff items of heading 5805, the entry “10%” shall be substituted;

(xxvii) for the entry in column (4) occurring against tariff items 5806 10 00, 5806 20 00, 5806 31 10, 5806 31 20 and 5806 31 90, the entry “10%” shall be substituted;

(xxviii) for the entry in column (4) occurring against tariff item 5806 32 00, the entry “20%” shall be substituted;

(xxix) for the entry in column (4) occurring against tariff items 5806 39 10, 5806 39 20, 5806 39 30, 5806 39 90 and 5806 40 00, the entry “10%” shall be substituted;

(xxx) for the entry in column (4) occurring against all the tariff items of headings 5807, 5808 and 5809, the entry “10%” shall be substituted;

(xxxi) for the entry in column (4) occurring against tariff item 5810 10 00, the entry “10% or Rs. 200 per kg., whichever is higher” shall be substituted;

(xxxii) in heading 5810, for tariff item 5810 91 00, sub-heading 5810 92, tariff items 5810 92 10 to 5810 99 00 and the entries relating thereto, the following shall be substituted, namely:—

“5810 91	--	<i>Of cotton:</i>			
5810 91 10	---	Embroidered with Lucknow Chikan Craft kg.	10%	-	
5810 91 90	---	Other kg.	10%	-	
5810 92	--	<i>Of man made fibres:</i>			
5810 92 10	---	Embroidered badges, motifs and the like	kg.	10%	-
5810 92 20	---	Embroidered with Lucknow Chikan Craft	kg.	10%	-
5810 92 90	---	Other	kg.	10%	-
5810 99	--	<i>Of other textile materials:</i>			
5810 99 10	---	Embroidered with Lucknow Chikan Craft	kg.	10%	-
5810 99 90	---	Other	kg.	10%	-”;

(xxxiii) for the entry in column (4) occurring against all the tariff items of heading 5811, the entry “10%” shall be substituted;

(43) in Chapter 59,—

(i) for the entry in column (4) occurring against all the tariff items of heading 5901, the entry “10%” shall be substituted;

(ii) for the entry in column (4) occurring against all the tariff items of headings 5902 and 5903, the entry “20%” shall be substituted;

(iii) for the entry in column (4) occurring against all the tariff items of headings 5904, 5905, 5906, 5907, 5908 and 5909, the entry “10%” shall be substituted;

(iv) for the entry in column (4) occurring against all the tariff items of sub-heading 5910 00, the entry “20%” shall be substituted;

(v) for the entry in column (4) occurring against tariff items 5911 10 00, 5911 20 00, 5911 31 10, 5911 31 20, 5911 31 30, 5911 31 40, 5911 31 50, 5911 31 90, 5911 32 10, 5911 32 20, 5911 32 30, 5911 32 40, 5911 32 50, 5911 32 90, 5911 40 00, 5911 90 10 and 5911 90 20, the entry “10%” shall be substituted;

(vi) after tariff item 5911 90 20 and the entries relating thereto, the following shall be inserted, namely:—

“	---	<i>Knitted or woven Geo-technical textile:</i>			
5911 90 31	----	Geogrid conforming to IS 17373	kg.	10%	-
5911 90 32	----	Geotextile conforming to IS 16391, IS 16392	kg.	10%	-
5911 90 39	----	Other	kg.	10%	-
5911 90 40	---	Mulch mats, conforming to IS 16202	kg.	10%	-”;

(vii) for the entry in column (4) occurring against tariff item 5911 90 90, the entry “10%” shall be substituted;

(44) in Chapter 60,—

(i) for the entry in column (4) occurring against tariff items 6001 10 10, 6001 10 20, 6001 10 90 and 6001 21 00, the entry “10%” shall be substituted;

(ii) for the entry in column (4) occurring against tariff item 6001 22 00, the entry “20%” shall be substituted;

(iii) for the entry in column (4) occurring against tariff items 6001 29 00 and 6001 91 00, the entry “10%” shall be substituted;

(iv) for the entry in column (4) occurring against tariff item 6001 92 00, the entry “20%” shall be substituted;

(v) for the entry in column (4) occurring against tariff items 6001 99 10, 6001 99 90, 6002 40 00, 6002 90 00, 6003 10 00 and 6003 20 00, the entry “10%” shall be substituted;

(vi) for the entry in column (4) occurring against tariff items 6003 30 00 and 6003 40 00, the entry “20%” shall be substituted;

(vii) for the entry in column (4) occurring against tariff item 6003 90 00, the entry “10%” shall be substituted;

(viii) for the entry in column (4) occurring against tariff items 6004 10 00, 6004 90 00, 6005 35 00 and 6005 36 00, the entry “20%” shall be substituted;

(ix) for tariff item 6005 37 00 and the entries relating thereto, the following shall be substituted, namely:—

“6005 37	--	<i>Other, dyed:</i>			
6005 37 10	---	Shade Nets, conforming to IS 16008	kg.	20%	-
6005 37 90	---	Other	kg.	20%	-”;

(x) for the entry in column (4) occurring against tariff items 6005 38 00, 6005 39 00, 6005 41 00, 6005 42 00, 6005 43 00 and 6005 44 00, the entry “20%” shall be substituted;

(xi) for the entry in column (4) occurring against tariff items 6005 90 00, 6006 10 00, 6006 21 00, 6006 22 00, 6006 23 00 and 6006 24 00, the entry “10%” shall be substituted;

(xii) for the entry in column (4) occurring against tariff items 6006 31 00, 6006 32 00, 6006 33 00, 6006 34 00, 6006 41 00, 6006 42 00, 6006 43 00 and 6006 44 00, the entry “20%” shall be substituted;

(xiii) for the entry in column (4) occurring against tariff item 6006 90 00, the entry “10%” shall be substituted;

(45) in Chapter 61,—

(i) for the entry in column (4) occurring against all the tariff items of headings 6101, 6102 and 6103, the entry “20%” shall be substituted;

(ii) for the entry in column (4) occurring against tariff items 6104 13 00, 6104 19 10, 6104 19 20, 6104 19 90, 6104 22 00, 6104 23 00, 6104 29 10, 6104 29 20, 6104 29 90, 6104 31 00, 6104 32 00, 6104 33 00, 6104 39 10, 6104 39 20 and 6104 39 90, the entry “20%” shall be substituted;

(iii) for the entry in column (4) occurring against tariff item 6104 41 00, the entry “20% or Rs. 255 per piece, whichever is higher” shall be substituted;

(iv) for the entry in column (4) occurring against tariff item 6104 42 00, the entry “20%” shall be substituted;

(v) for the entry in column (4) occurring against tariff items 6104 43 00 and 6104 44 00, the entry “20% or Rs. 255 per piece, whichever is higher” shall be substituted;

(vi) for the entry in column (4) occurring against all the tariff items of sub-heading 6104 49, the entry “20% or Rs. 220 per piece, whichever is higher” shall be substituted;

(vii) for the entry in column (4) occurring against tariff items 6104 51 00, 6104 52 00, 6104 53 00, 6104 59 10, 6104 59 20 and 6104 59 90, the entry “20% or Rs.110 per piece, whichever is higher” shall be substituted;

(viii) for the entry in column (4) occurring against tariff items 6104 61 00, 6104 62 00, 6104 63 00, 6104 69 10, 6104 69 20 and 6104 69 90, the entry “20%” shall be substituted;

(ix) for the entry in column (4) occurring against all the tariff items of sub-headings 6105 10 and 6105 20, the entry “20% or Rs. 83 per piece, whichever is higher” shall be substituted;

(x) for the entry in column (4) occurring against tariff items 6105 90 10, 6105 90 90 and 6106 10 00, the entry “20% or Rs. 90 per piece, whichever is higher” shall be substituted;

(xi) for the entry in column (4) occurring against all the tariff items of sub-heading 6106 20, the entry “20% or Rs.25 per piece, whichever is higher” shall be substituted;

(xii) for the entry in column (4) occurring against all the tariff items of sub-heading 6106 90, the entry “20% or Rs.135 per piece, whichever is higher” shall be substituted;

(xiii) for the entry in column (4) occurring against tariff item 6107 11 00, the entry “20% or Rs. 24 per piece, whichever is higher” shall be substituted;

(xiv) for the entry in column (4) occurring against all the tariff items of sub-heading 6107 12, the entry “20% or Rs. 30 per piece, whichever is higher” shall be substituted;

(xv) for the entry in column (4) occurring against tariff items 6107 19 10, 6107 19 90, 6107 21 00, 6107 22 10, 6107 22 20, 6107 29 10, 6107 29 20, 6107 29 90, 6107 91 10, 6107 91 90, 6107 99 10, 6107 99 20 and 6107 99 90, the entry “20%” shall be substituted;

(xvi) for the entry in column (4) occurring against all the tariff items of sub-headings 6108 11 and 6108 19, the entry “20%” shall be substituted;

(xvii) for the entry in column (4) occurring against tariff items 6108 21 00, 6108 22 10 and 6108 22 20, the entry “20% or Rs.25 per piece, whichever is higher” shall be substituted;

(xviii) for the entry in column (4) occurring against tariff items 6108 29 10, 6108 29 90, 6108 31 00, 6108 32 10 and 6108 32 20, the entry “20%” shall be substituted;

(xix) for the entry in column (4) occurring against tariff item 6108 39 10, the entry “10%” shall be substituted;

(xx) for the entry in column (4) occurring against tariff item 6108 39 90, the entry “20%” shall be substituted;

(xxi) for the entry in column (4) occurring against tariff item 6108 91 00, the entry “20% or Rs.65 per piece, whichever is higher” shall be substituted;

(xxii) for the entry in column (4) occurring against all the tariff items of sub-heading 6108 92, the entry “20% or Rs.60 per piece, whichever is higher” shall be substituted;

(xxiii) for the entry in column (4) occurring against tariff item 6108 99 10, the entry “20%” shall be substituted;

(xxiv) for the entry in column (4) occurring against tariff item 6108 99 20, the entry “10%” shall be substituted;

(xxv) for the entry in column (4) occurring against tariff item 6108 99 90, the entry “20%” shall be substituted;

(xxvi) for the entry in column (4) occurring against tariff item 6109 10 00, the entry “20% or Rs. 45 per piece, whichever is higher” shall be substituted;

(xxvii) for the entry in column (4) occurring against all the tariff items of sub-heading 6109 90, the entry “20% or Rs.50 per piece, whichever is higher” shall be substituted;

(xxviii) for the entry in column (4) occurring against tariff items 6110 11 10, 6110 11 20, 6110 11 90, 6110 12 00 and 6110 19 00, the entry “20% or Rs. 275 per piece, whichever is higher” shall be substituted;

(xxix) for the entry in column (4) occurring against tariff item 6110 20 00, the entry “20% or Rs.85 per piece, whichever is higher” shall be substituted;

(xxx) for the entry in column (4) occurring against all the tariff items of sub-heading 6110 30, the entry “20% or Rs.110 per piece, whichever is higher” shall be substituted;

(xxxi) for the entry in column (4) occurring against tariff item 6110 90 00, the entry “20% or Rs.105 per piece, whichever is higher” shall be substituted;

(xxxii) for the entry in column (4) occurring against all the tariff items of heading 6111, the entry “20%” shall be substituted;

(xxxiii) for the entry in column (4) occurring against tariff items 6112 11 00 and 6112 12 00, the entry “20%” shall be substituted;

(xxxiv) for the entry in column (4) occurring against tariff item 6112 19 10, the entry “10%” shall be substituted;

(xxxv) for the entry in column (4) occurring against tariff items 6112 19 20, 6112 19 30 and 6112 19 90, the entry “20%” shall be substituted;

(xxxvi) for the entry in column (4) occurring against tariff item 6112 20 10, the entry “10%” shall be substituted;

(xxxvii) for the entry in column (4) occurring against tariff items 6112 20 20, 6112 20 30, 6112 20 40, 6112 20 50, 6112 20 90, 6112 31 00, 6112 39 10, 6112 39 20, 6112 39 90 and 6112 41 00, the entry “20%” shall be substituted;

(xxxviii) for the entry in column (4) occurring against tariff item 6112 49 10, the entry “10%” shall be substituted;

(xxxix) for the entry in column (4) occurring against tariff items 6112 49 20, 6112 49 90 and 6113 00 00, the entry “20%” shall be substituted;

(xl) for the entry in column (4) occurring against all the tariff items of headings 6114, 6115, 6116 and 6117, the entry “20%” shall be substituted;

(46) in Chapter 62,—

(i) the Supplementary Note shall be numbered as “Supplementary Note 1” thereof, and after the Supplementary Note as so numbered, the following Supplementary Notes shall be inserted, namely:—

“2. For the purposes of this Chapter, inherent Fire Retardant (FR) fibres, as specified in IS 11871, IS 13501, IS 15742, IS 15742 A, are those in which the FR properties are naturally part of the polymer backbone and can never be worn away or washed out.

3. (a) For the purposes of this Chapter, “Lucknow Chikan craft” refers to a type of embroidery defined and recognised by the Geographical Indication (GI) Registry against the GI no.119 under the Geographical Indication of Goods (Registration and Protection) Act, 1999 (48 of 1999) .

(b) Produced/manufactured by a person certified/recognised and mentioned as a user in the Geographical Indication Registry against the said GI no.119.”;

(ii) for the entry in column (4) occurring against tariff item 6201 20 10, the entry “20% or Rs.385 per piece, whichever is higher” shall be substituted;

(iii) for the entry in column (4) occurring against tariff item 6201 20 90, the entry “20% or Rs.220 per piece, whichever is higher” shall be substituted;

(iv) for the entry in column (4) occurring against all the tariff items of sub-headings 6201 30, 6201 40 and 6201 90, the entry “20%” shall be substituted;

(v) for the entry in column (4) occurring against tariff item 6202 20 10, the entry “20% or Rs.385 per piece, whichever is higher” shall be substituted;

(vi) for the entry in column (4) occurring against tariff item 6202 20 90, the entry “20% or Rs.220 per piece, whichever is higher” shall be substituted;

(vii) for the entry in column (4) occurring against all the tariff items of sub-headings 6202 30, 6202 40 and 6202 90, the entry “20%” shall be substituted;

(viii) for the entry in column (4) occurring against tariff items 6203 11 00, 6203 12 00, 6203 19 10 and 6203 19 90, the entry “20%” shall be substituted;

(ix) for the entry in column (4) occurring against tariff items 6203 22 00, 6203 23 00, 6203 29 11, 6203 29 19 and 6203 29 90, the entry “20% or Rs.145 per piece, whichever is higher” shall be substituted;

(x) for the entry in column (4) occurring against tariff items 6203 31 10, 6203 31 90, 6203 32 00, 6203 33 00, 6203 39 11, 6203 39 19 and 6203 39 90, the entry “20%” shall be substituted;

(xi) for the entry in column (4) occurring against tariff item 6203 41 00, the entry “20% or Rs.285 per piece, whichever is higher” shall be substituted;

(xii) for the entry in column (4) occurring against all the tariff items of sub-heading 6203 42, the entry “20% or Rs.135 per piece, whichever is higher” shall be substituted;

(xiii) for the entry in column (4) occurring against tariff items 6203 43 00, 6203 49 10, 6203 49 90 and 6204 11 00, the entry “20%” shall be substituted;

(xiv) in heading 6204, for tariff items 6204 12 00 to 6204 13 00, sub-heading 6204 19, tariff items 6204 19 11 to 6204 21 00, sub-heading 6204 22, tariff items 6204 22 10 to 6204 23 00, sub-heading 6204 29, tariff items 6204 29 12 to 6204 29 90, sub-heading 6204 31, tariff items 6204 31 10 to 6204 33 00, sub-heading 6204 39, tariff items 6204 39 12 to 6204 39 90, sub-heading 6204 41, tariff items 6204 41 10 to 6204 41 90, sub-heading 6204 42, tariff items 6204 42 10 to 6204 42 90, sub-heading 6204 43, tariff items 6204 43 10 to 6204 44 00, sub-heading 6204 49, tariff items 6204 49 11 to 6204 53 00, sub heading 6204 59, tariff items 6204 59 10 to 6204 59 90 and the entries relating thereto, the following shall be substituted, namely:—

" 6204 12	--	<i>Of cotton:</i>			
6204 12 10	---	Embroidered with Lucknow Chikan Craft	u	20%	-
6204 12 90	---	Other	u	20%	-
6204 13	--	<i>Of synthetic fibre:</i>			
6204 13 10	---	Embroidered with Lucknow Chikan Craft	u	20%	-
6204 13 90	---	Other	u	20%	-
6204 19	--	<i>Of other textile materials:</i>			
	---	<i>Of silk:</i>			
6204 19 11	----	Sequinned or beaded with chattons or embroidered	u	20%	-
6204 19 12	----	Embroidered with Lucknow Chikan Craft	u	20%	-
6204 19 19	----	Other	u	20%	-
	---	<i>Of all other fibres:</i>			
6204 19 91	----	Embroidered with Lucknow Chikan Craft	u	20%	-
6204 19 99	----	Other	u	20%	-
	-	<i>Ensembles :</i>			
6204 21 00	--	Of wool or fine animal hair	u	20%	-
6204 22	--	<i>Of cotton :</i>			
6204 22 10	---	Blouses combined with skirts, trousers or shorts	u	20%	-

6204 22 20	---	Embroidered with Lucknow Chikan Craft	u	20%	-
6204 22 90	---	Other	u	20%	-
6204 23	--	<i>Of Synthetic fibres:</i>			
6204 23 10	---	Embroidered with Lucknow Chikan Craft	u	20%	-
6204 23 90	---	Other	u	20%	-
6204 29	--	<i>Of other textile materials:</i>			
	---	<i>Of silk:</i>			
6204 29 12	----	Khadi	u	20%	-
6204 29 13	----	Embroidered with Lucknow Chikan Craft	u	20%	-
6204 29 19	----	Other	u	20%	-
	---	<i>Other:</i>			
6204 29 91	----	Embroidered with Lucknow Chikan Craft	u	20%	-
6204 29 99	----	Other	u	20%	-
	-	<i>Jackets and blazers:</i>			
6204 31	--	<i>Of wool or fine animal hair:</i>			
6204 31 10	---	Khadi	u	20%	-
6204 31 90	---	Other	u	20%	-
6204 32	--	<i>Of cotton:</i>			
6204 32 10	---	Embroidered with Lucknow Chikan Craft	u	20%	-
6204 32 90	---	Other	u	20%	-
6204 33	--	<i>Of synthetic fibre:</i>			
6204 33 10	---	Embroidered with Lucknow Chikan Craft	u	20%	-
6204 33 90	---	Other	u	20%	-
6204 39	--	<i>Of other textile materials:</i>			
	---	<i>Of silk:</i>			
6204 39 12	----	Khadi	u	20%	-
6204 39 13	----	Embroidered with Lucknow Chikan Craft	u	20%	-
6204 39 19	----	Other	u	20%	-
	---	<i>Other:</i>			
6204 39 91	----	Embroidered with Lucknow Chikan Craft	u	20%	-
6204 39 99	----	Other	u	20%	-
	-	<i>Dresses:</i>			
6204 41	--	<i>Of wool or fine animal hair :</i>			
6204 41 10	---	House coats and like dresses	u	20% or Rs.145 per piece, whichever is higher	-
6204 41 20	---	Blazers	u	20% or Rs.145 per piece, whichever is higher	-
6204 41 90	---	Other	u	20% or Rs.145 per piece, whichever is higher	-
6204 42	--	<i>Of cotton :</i>			
6204 42 10	---	House coats and like dresses	u	20% or Rs.116 per piece, whichever is higher	-

6204 42 20	---	Handloom	u	20% or Rs.116 per piece, whichever is higher	-
6204 42 30	---	Embroidered with Lucknow Chikan Craft	u	20% or Rs.116 per piece, whichever is higher	-
6204 42 90	---	Other	u	20% or Rs.116 per piece, whichever is higher	-
6204 43	--	<i>Of synthetic fibres :</i>			
6204 43 10	---	House coats and like dresses	u	20% or Rs.145 per piece, whichever is higher	-
6204 43 20	---	Embroidered with Lucknow Chikan Craft	u	20% or Rs.145 per piece, whichever is higher	-
6204 43 90	---	Other	u	20% or Rs.145 per piece, whichever is higher	-
6204 44	--	<i>Of artificial fibres :</i>			
6204 44 10	---	Embroidered with Lucknow Chikan Craft	u	20% or Rs.145 per piece, whichever is higher	-
6204 44 90	---	Other	u	20% or Rs.145 per piece, whichever is higher	-
6204 49	--	<i>Of other textile materials:</i>			
	---	<i>Of silk :</i>			
6204 49 11	----	House coats and like dresses	u	20% or Rs.145 per piece, whichever is higher	-
6204 49 12	----	Embroidered with Lucknow Chikan Craft	u	20% or Rs.145 per piece, whichever is higher	-

6204 49 19	----	Other	u	20% or Rs.145 per piece, whichever is higher	-
	---	<i>Other:</i>			
6204 49 91	----	Embroidered with Lucknow Chikan Craft	u	20% or Rs.145 per piece, whichever is higher	-
6204 49 99	----	Other	u	20% or Rs.145 per piece, whichever is higher	-
	-	<i>Skirts and divided skirts:</i>			
6204 51 00	--	Of wool or fine animal hair	u	20% or Rs.485 per piece, whichever is higher	-
6204 52	--	<i>Of cotton :</i>			
6204 52 10	---	Embroidered with Lucknow Chikan Craft	u	20%	-
6204 52 90	---	Other	u	20%	-
6204 53	--	<i>Of synthetic fibre :</i>			
6204 53 10	---	Embroidered with Lucknow Chikan Craft	u	20%	-
6204 53 90	---	Other	u	20%	-
6204 59	--	<i>Of other textile materials:</i>			
	---	<i>Of silk :</i>			
6204 59 11	----	Embroidered with Lucknow Chikan Craft	u	20%	-
6204 59 19	----	Other	u	20%	-
	---	<i>Other:</i>			
6204 59 91	----	Embroidered with Lucknow Chikan Craft	u	20%	-
6204 59 99	----	Other	u	20%	-";

(xv) for the entry in column (4) occurring against all the tariff items of sub-heading 6204 61, the entry "20% or Rs.285 per piece, whichever is higher" shall be substituted;

(xvi) for the entry in column (4) occurring against all the tariff items of sub-heading 6204 62, the entry "20% or Rs.135 per piece, whichever is higher" shall be substituted;

(xvii) for the entry in column (4) occurring against tariff items 6204 63 00, 6204 69 11, 6204 69 19 and 6204 69 90, the entry "20%" shall be substituted;

(xviii) for the entry in column (4) occurring against tariff item 6205 20 10, the entry "20% or Rs.85 per piece, whichever is higher" shall be substituted;

(xix) after tariff item 6205 20 10 and the entries relating thereto, the following shall be inserted, namely:—

"6205 20 20	---	Embroidered with Lucknow Chikan Craft	u	20% or Rs.85 per piece, whichever is higher	-";
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(xx) for the entry in column (4) occurring against tariff item 6205 20 90, the entry “20% or Rs.85 per piece, whichever is higher” shall be substituted;

(xxi) for tariff item 6205 30 00 and the entries relating thereto, the following shall be substituted, namely:—

“6205 30 - *Of man made fibres:*

6205 30 10	---	Embroidered with Lucknow Chikan Craft	u	20% or Rs.120 per piece, whichever is higher	-
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6205 30 90	---	Other	u	20% or Rs.120 per piece, whichever is higher	-”;
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(xxii) for the entry in column (4) occurring against tariff item 6205 90 11, the entry “20% or Rs.95 per piece, whichever is higher” shall be substituted;

(xxiii) after tariff item 6205 90 11 and the entries relating thereto, the following shall be inserted, namely:—

“6205 90 12	----	Embroidered with Lucknow Chikan Craft	u	20% or Rs.95 per piece, whichever is higher	-”;
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(xxiv) for the entry in column (4) occurring against tariff items 6205 90 19 and 6205 90 90, the entry “20% or Rs.95 per piece, whichever is higher” shall be substituted;

(xxv) for the entry in column (4) occurring against all the tariff items of sub-heading 6206 10, the entry “20%” shall be substituted;

(xxvi) for the entry in column (4) occurring against tariff item 6206 20 00, the entry “20% or Rs.135 per piece, whichever is higher” shall be substituted;

(xxvii) for the entry in column (4) occurring against all the tariff items of sub-heading 6206 30, the entry “20% or Rs.95 per piece, whichever is higher” shall be substituted;

(xxviii) for the entry in column (4) occurring against tariff item 6206 40 00, the entry “20% or Rs.120 per piece, whichever is higher” shall be substituted;

(xxix) for the entry in column (4) occurring against tariff item 6206 90 00, the entry “20%” shall be substituted;

(xxx) for the entry in column (4) occurring against tariff item 6207 11 00, the entry “20% or Rs.28 per piece, whichever is higher” shall be substituted;

(xxxi) for the entry in column (4) occurring against tariff items 6207 19 10 and 6207 19 20, the entry “20% or Rs.30 per piece, whichever is higher” shall be substituted;

(xxxii) for the entry in column (4) occurring against tariff item 6207 19 30, the entry “10% or Rs.30 per piece, whichever is higher” shall be substituted;

(xxxiii) for the entry in column (4) occurring against tariff item 6207 19 90, the entry “20% or Rs.30 per piece, whichever is higher” shall be substituted;

(xxxiv) for the entry in column (4) occurring against tariff items 6207 21 10, 6207 21 90, 6207 22 00, 6207 29 00, 6207 91 10, 6207 91 20 and 6207 91 90, the entry "20%" shall be substituted;

(xxxv) for the entry in column (4) occurring against all the tariff items of sub-heading 6207 99, the entry "20% or Rs.70 per piece, whichever is higher" shall be substituted;

(xxxvi) for the entry in column (4) occurring against tariff item 6208 11 00, the entry "20% or Rs.80 per piece, whichever is higher" shall be substituted;

(xxxvii) for the entry in column (4) occurring against all the tariff items of sub-heading 6208 19, the entry "20% or Rs.60 per piece, whichever is higher" shall be substituted;

(xxxviii) for the entry in column (4) occurring against tariff items 6208 21 10, 6208 21 90, 6208 22 00, 6208 29 10, 6207 29 20 and 6208 29 90, the entry "20%" shall be substituted;

(xxxix) for the entry in column (4) occurring against all the tariff items of sub-heading 6208 91, the entry "20% or Rs.95 per piece, whichever is higher" shall be substituted;

(xl) for the entry in column (4) occurring against all the tariff items of sub-heading 6208 92, the entry "20% or Rs.65 per piece, whichever is higher" shall be substituted;

(xli) for the entry in column (4) occurring against tariff items 6208 99 10, 6208 99 20, 6208 99 90, 6209 20 10, 6209 20 90, 6209 30 00, 6209 90 10 and 6209 90 90, the entry "20%" shall be substituted;

(xlii) for tariff item 6210 10 00 and the entries relating thereto, the following shall be substituted, namely:—

"6210 10 - *Of fabrics of heading 5602 or 5603:*

6210 10 10	---	Personal protective garments for surgical/ medical use (felt or non-woven) conforming to IS 17423	u	20%	-
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6210 10 20	---	Surgical gowns and drapes conforming to IS 17334	u	20%	-
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6210 10 90	---	Other	u	20%	-";
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(xliii) for the entry in column (4) occurring against all the tariff items of sub-heading 6210 20, the entry "20% or Rs.365 per piece, whichever is higher" shall be substituted;

(xliv) for the entry in column (4) occurring against all the tariff items of sub-heading 6210 30, the entry "20% or Rs.305 per piece, whichever is higher" shall be substituted;

(xlv) for the entry in column (4) occurring against tariff item 6210 40 10, the entry "20% or Rs.65 per piece, whichever is higher" shall be substituted;

(xli) after tariff item 6210 40 10 and the entries relating thereto, the following shall be inserted, namely:—

"6210 40 20	---	NBC Warfare suits and the like (conforming to IS 17377)	u	20% or Rs.65 per piece, whichever is higher	-
-------------	-----	---	---	---	---

6210 40 30	---	High Visibility Warning Clothes and the like (Conforming to IS 15809)	u	20% or Rs.65 per piece, whichever is higher	-
6210 40 40	---	High Altitude Clothes (Conforming to IS 5866)	u	20% or Rs.65 per piece, whichever is higher	-
6210 40 50	---	Fighter Aircraft Clothing (Conforming to IS 11871)	u	20% or Rs.65 per piece, whichever is higher	-
6210 40 60	---	Personal protective garments for surgical/ medical use (felt or non-woven) (conforming to IS 17423)	u	20% or Rs.65 per piece, whichever is higher	-
6210 40 70	---	Surgical gowns and drapes (conforming to IS 17334)	u	20% or Rs.65 per piece, whichever is higher	-
6210 40 80	---	Clothing for special use such as FR, chemical (IS 15071, 15758), electrical (IS 11871, IS 16655) and industrial protection (IS 17466)	u	20% or Rs.65 per piece, whichever is higher	-";

(xlvii) for the entry in column (4) occurring against tariff items 6210 40 90 and 6210 50 00, the entry "20% or Rs.65 per piece, whichever is higher" shall be substituted;

(xlviii) for the entry in column (4) occurring against tariff items 6211 11 00, 6211 12 00 and 6211 20 00, the entry "20%" shall be substituted;

(xlix) for the entry in column (4) occurring against tariff items 6211 32 00 and 6211 33 00, the entry "20% or Rs.135 per piece, whichever is higher" shall be substituted;

(l) for the entry in column (4) occurring against all the tariff items of sub-heading 6211 39, the entry "20%" shall be substituted;

(li) in heading 6211, for the sub-heading 6211 42, tariff items 6211 42 10 to 6211 43 00, sub-heading 6211 49, tariff items 6211 49 10 to 6211 49 90 and the entries relating thereto, the following shall be substituted, namely:—

" 6211 42	--	<i>Of cotton:</i>			
	---	<i>Kurta or Salwar with or without Dupatta:</i>			
6211 42 11	----	Embroidered with Lucknow Chikan Craft	u	20% or Rs.135 per piece, whichever is higher	-
6211 42 19	----	Other	u	20% or Rs.135 per piece, whichever is higher	-

--- Other:				
6211 42 91	----	Embroidered with Lucknow Chikan Craft	u	20% or Rs.135 per piece, whichever is higher -
6211 42 99	----	Other	u	20% or Rs.135 per piece, whichever is higher -
6211 43	--	Of man made fibre:		
6211 43 10	---	Embroidered with Lucknow Chikan Craft	u	20% or Rs.135 per piece, whichever is higher -
6211 43 90	---	Other	u	20% or Rs.135 per piece, whichever is higher -
6211 49	--	Of other textile materials:		
6211 49 10	---	Of wool or fine animal hair	u	20% -
--- Of silk:				
6211 49 21	----	Khadi	u	20% -
6211 49 22	----	Embroidered with Lucknow Chikan Craft	u	20% -
6211 49 29	----	Other	u	20% -
--- Other:				
6211 49 91	----	Embroidered with Lucknow Chikan Craft	u	20% -
6211 49 99	----	Other	u	20% -";
(lii) for the entry in column (4) occurring against tariff items 6212 10 00, 6212 20 00, 6212 30 00, 6212 90 10 and 6212 90 90, the entry "20% or Rs.30 per piece, whichever is higher" shall be substituted;				
(liii) for the entry in column (4) occurring against tariff items 6213 20 00, 6213 90 10 and 6213 90 90, the entry "20%" shall be substituted;				
(liv) for the entry in column (4) occurring against tariff items 6214 10 10 and 6214 10 20, the entry "20% or Rs.390 per piece, whichever is higher" shall be substituted;				
(lv) for the entry in column (4) occurring against tariff item 6214 10 30, the entry "10% or Rs.390 per piece, whichever is higher" shall be substituted;				
(lvi) after tariff item 6214 10 30 and the entries relating thereto, the following shall be inserted, namely:—				
"6214 10 40	---	Embroidered with Lucknow Chikan Craft	u	20% or Rs.390 per piece, whichever is higher -";

(lvii) for the entry in column (4) occurring against tariff item 6214 10 90, the entry “20% or Rs.390 per piece, whichever is higher” shall be substituted;

(lviii) for the entry in column (4) occurring against all the tariff items of sub-heading 6214 20, the entry “20% or Rs.180 per piece, whichever is higher” shall be substituted;

(lix) for tariff items 6214 30 00 and 6214 40 00 and the entries relating thereto, the following shall be substituted, namely:—

" 6214 30	-	<i>Of synthetic fibre:</i>			
6214 30 10	---	Embroidered with Lucknow Chikan Craft	u	20%	-
6214 30 90	---	Other	u	20%	-
6214 40	-	<i>Of artificial fibre:</i>			
6214 40 10	---	Embroidered with Lucknow Chikan Craft	u	20%	-
6214 40 90	---	Other	u	20%	-";

(lx) for the entry in column (4) occurring against tariff item 6214 90 10, the entry “20% or Rs.75 per piece, whichever is higher” shall be substituted;

(lxi) for the entry in column (4) occurring against tariff items 6214 90 21 and 6214 90 22, the entry “10% or Rs.75 per piece, whichever is higher” shall be substituted;

(lxii) for the entry in column (4) occurring against tariff item 6214 90 29, the entry “20% or Rs.75 per piece, whichever is higher” shall be substituted;

(lxiii) for the entry in column (4) occurring against tariff items 6214 90 31 and 6214 90 32, the entry “10% or Rs.75 per piece, whichever is higher” shall be substituted;

(lxiv) for the entry in column (4) occurring against tariff item 6214 90 39, the entry “20% or Rs.75 per piece, whichever is higher” shall be substituted;

(lxv) for tariff items 6214 90 40 to 6214 90 90 and the entries relating thereto, the following shall be substituted, namely:—

" --- Scarves , cotton:					
6214 90 41	----	Embroidered with Lucknow Chikan Craft	u	20% or Rs.75 per piece, whichever is higher	-
6214 90 49	----	Other	u	20% or Rs.75 per piece, whichever is higher	-
--- Shawls, mufflers and the like of cotton:					
6214 90 51	----	Embroidered with Lucknow Chikan Craft	u	20% or Rs.75 per piece, whichever is higher	-
6214 90 59	----	Other	u	20% or Rs.75 per piece, whichever is higher	-

--- Shawls, mufflers and the like of man made fibres:

6214 90 61	---- Embroidered with Lucknow Chikan Craft	u	20% or Rs.75 per piece, whichever is higher	-
6214 90 69	---- Other	u	20% or Rs.75 per piece, whichever is higher	-
--- Other:				
6214 90 91	---- Embroidered with Lucknow Chikan Craft	u	20% or Rs.75 per piece, whichever is higher	-
6214 90 99	---- Other	u	20% or Rs.75 per piece, whichever is higher	-";

(lxi) for the entry in column (4) occurring against all the tariff items of heading 6215, the entry "20% or Rs.55 per piece, whichever is higher" shall be substituted;

(lxvii) for the entry in column (4) occurring against all the tariff items of headings 6216 and 6217, the entry "20%" shall be substituted;

(47) in Chapter 63,—

(i) for the entry in column (4) occurring against tariff item 6301 10 00, the entry "10%" shall be substituted;

(ii) for the entry in column (4) occurring against tariff item 6301 20 00, the entry "10% or Rs.275 per piece, whichever is higher" shall be substituted;

(iii) for the entry in column (4) occurring against tariff item 6301 30 00, the entry "10%" shall be substituted;

(iv) for the entry in column (4) occurring against tariff items 6301 40 00, 6301 90 10 and 6301 90 90, the entry "20%" shall be substituted;

(v) for the entry in column (4) occurring against all the tariff items of sub-heading 6302 10, the entry "10%" shall be substituted;

(vi) for the entry in column (4) occurring against all the tariff items of sub-heading 6302 21, the entry "10% or Rs.108 per kg., whichever is higher" shall be substituted;

(vii) for the entry in column (4) occurring against tariff items 6302 22 00 and 6302 29 00, the entry "10%" shall be substituted;

(viii) for the entry in column (4) occurring against tariff item 6302 31 00, the entry "10% or Rs.96 per kg., whichever is higher" shall be substituted;

(ix) for the entry in column (4) occurring against tariff items 6302 32 00, 6302 39 00, 6302 40 10, 6302 40 20, 6302 40 30, 6302 40 40, 6302 40 90, 6302 51 10, 6302 51 90, 6302 53 00, 6302 59 00, 6302 60 10, 6302 60 90, 6302 91 10, 6302 91 90, 6302 93 00 and 6302 99 00, the entry "10%" shall be substituted;

(x) for the entry in column (4) occurring against all the tariff items of headings 6303, 6304, 6305 and 6306, the entry “10%” shall be substituted;

(xi) for the entry in column (4) occurring against tariff items 6307 10 10, 6307 10 20, 6307 10 30, 6307 10 90, 6307 20 10, 6307 20 90, 6307 90 11, 6307 90 12, 6307 90 13, 6307 90 19 and 6307 90 20, the entry “10%” shall be substituted;

(xii) for tariff item 6307 90 90 and the entries relating thereto, the following shall be substituted, namely:—

“--- Other:

6307 90 91	---- Textile face masks, without a replaceable filter or mechanical parts, including surgical mask and disposable face mask made of non-woven textile	u	10%	-
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6307 90 99	---- Other	u	10%	-”;
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(xiii) for the entry in column (4) occurring against tariff items 6308 00 00 and 6309 00 00, the entry “10%” shall be substituted;

(xiv) for the entry in column (4) occurring against all the tariff items of heading 6310, the entry “20%” shall be substituted;

(48) in Chapter 67, in clause (a) of Note 1, for the words “straining cloth”, the words “filtering or straining cloth” shall be substituted;

(49) in Chapter 68,—

(i) for the entry in column (4) occurring against tariff item 6815 91 00, the entry “7.5%” shall be substituted;

(ii) in heading 6815, after tariff item 6815 99 20 and the entries relating thereto, the following shall be inserted, namely:—

“6815 99 30	--- Basalt fibre, filament and articles thereof conforming to ASTM D3039, C1185	kg.	10%	-”;
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(50) in Chapter 69,—

(i) for the entry in column (4) occurring against all the tariff items of headings 6901 and 6902, the entry “7.5%” shall be substituted;

(ii) for the entries in column (2) and column (4) occurring against tariff item 6903 10 00, the entries “Containing by weight more than 50 % of free carbon” and “7.5%” shall respectively be substituted;

(iii) for the entry in column (4) occurring against all the tariff items of sub-headings 6903 20 and 6903 90, the entry “7.5%” shall be substituted;

(51) in Chapter 70,—

(i) for the entry in column (2) occurring against heading 7001, the following shall be substituted, namely:—

“CULLET AND OTHER WASTE AND SCRAP OF GLASS, EXCLUDING GLASS FROM CATHODE-RAY TUBES OR OTHER ACTIVATED GLASS OF HEADING 8549; GLASS IN THE MASS”;

(ii) for the entry in column (4) occurring against tariff item 7001 00 10, the entry “5%” shall be substituted;

(iii) for the entry in column (4) occurring against tariff item 7015 10 10, the entry “5%” shall be substituted;

(52) in Chapter 71,—

(i) for the entry in column (4) occurring against tariff item 7101 10 10, the entry “5%” shall be substituted;

(ii) for the entry in column (4) occurring against tariff item 7101 21 00, the entry “5%” shall be substituted;

(iii) for the entry in column (4) occurring against tariff items 7110 31 00 and 7110 39 00, the entry “2.5%” shall be substituted;

(53) in Section XV, in clause (d) of Note 9, for the words and figures, “products of heading 8001”, the word “products” shall be substituted;

(54) in Chapter 72,—

(i) for the entry in column (4) occurring against all the tariff items of heading 7201, the entry “5%” shall be substituted;

(ii) for the entry in column (4) occurring against tariff items 7202 11 00, 7202 19 00, 7202 21 00, 7202 29 00, 7202 30 00, 7202 41 00, 7202 49 00 and 7202 50 00, the entry “5%” shall be substituted;

(iii) for the entry in column (4) occurring against tariff item 7202 60 00, the entry “2.5%” shall be substituted;

(iv) for the entry in column (4) occurring against tariff items 7202 70 00, 7202 80 00, 7202 91 00, 7202 92 00 and 7202 93 00, the entry “5%” shall be substituted;

(v) for the entry in column (4) occurring against all the tariff items of sub-heading 7202 99, the entry “5%” shall be substituted;

(vi) for the entry in column (4) occurring against all the tariff items of heading 7203, the entry “5%” shall be substituted;

(vii) for the entry in column (4) occurring against all the tariff items of heading 7204, the entry “2.5%” shall be substituted;

(viii) for the entry in column (4) occurring against all the tariff items of heading 7205, the entry “5%” shall be substituted;

(ix) in heading 7210,—

(a) for tariff item 7210 30 90 and the entries relating thereto, the following shall be substituted, namely:—

“--- Other:

7210 30 91	----	Galvannealed	kg.	15%	-
7210 30 99	----	Other	kg.	15%	-”;

(b) for tariff item 7210 49 00 and the entries relating thereto, the following shall be substituted, namely:—

“7210 49 --- Other:

7210 49 10	---	Galvannealed	kg.	15%	-
7210 49 90	---	Other	kg.	15%	-”;

(x) in heading 7212,—

(a) for tariff item 7212 20 90 and the entries relating thereto, the following shall be substituted, namely:—

“--- Other:

7212 20 91	----	Galvannealed	kg.	15%	-
------------	------	--------------	-----	-----	---

7212 20 99 - - - - Other kg. 15% -”;

(b) for tariff item 7212 30 90 and the entries relating thereto, the following shall be substituted, namely:—

“- - - Other:

7212 30 91 - - - - Galvannealed kg. 15% -

7212 30 99 - - - - Other kg. 15% -”;

(c) after tariff item 7212 50 20 and the entries relating thereto, the following shall be inserted, namely:—

“7212 50 30 - - - Plated or coated with aluminium kg. 15% -

7212 50 40 - - - Plated or coated with aluminium-zinc alloys kg. 15% -”;

(xi) in heading 7225, for tariff items 7225 91 00 to 7225 99 00 and the entries relating thereto, the following shall be substituted, namely:—

“7225 91 - - Electrolytically plated or coated with zinc:

7225 91 10 - - - Galvannealed kg. 15% -

7225 91 90 - - - Other kg. 15% -

7225 92 - - Otherwise plated or coated with zinc:

7225 92 10 - - - Galvannealed kg. 15% -

7225 92 90 - - - Other kg. 15% -

7225 99 - - Other:

7225 99 10 - - - Plated or coated with aluminium kg. 15% -

7225 99 20 - - - Plated or coated with aluminium-zinc alloys kg. 15% -

7225 99 30 - - - Painted, coloured or coated with plastics kg. 15% -

7225 99 90 - - - Other kg. 15% -”;

(xii) in heading 7226, after tariff item 7226 99 60 and the entries relating thereto, the following shall be inserted, namely:—

“- - - Plated or coated with zinc:

7226 99 71 - - - - Plain and corrugated kg. 15% -

7226 99 72 - - - - Electrolytically, plain and corrugated kg. 15% -

7226 99 73 - - - - Galvannealed kg. 15% -

7226 99 79 - - - - Other kg. 15% -

- - - Otherwise coated or plated:

7226 99 81 - - - - With aluminium kg. 15% -

7226 99 82 - - - - With aluminium-zinc alloys kg. 15% -

7226 99 83 - - - - Painted, coloured or coated with plastics kg. 15% -

7226 99 89 - - - - Other kg. 15% -”;

(55) in Chapter 73, in heading 7302, for the tariff item 7302 10 10 and the entries relating thereto, the following shall be substituted, namely:—

“- - - For railways:

7302 10 11 - - - - Head hardened rails kg. 15% -

7302 10 12 - - - - Asymmetric rails with end forging kg. 15% -

7302 10 13 - - - - Asymmetric rails without end forging kg. 15% -

7302 10 14	----	Other than asymmetric rails and head hardened rails	kg.	15%	-
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7302 10 19	----	Other	kg.	15%	-";
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(56) in Chapter 74,—

(i) for the entry in column (4) occurring against all the tariff items of heading 7404, the entry “2.5%” shall be substituted;

(ii) for the entry in column (4) occurring against all the tariff items of headings 7411 and 7412, the entry “7.5%” shall be substituted;

(57) in Chapter 75, for the entry in column (4) occurring against all the tariff items, the entry “Free” shall be substituted;

(58) in Chapter 76, for the entry in column (4) occurring against all the tariff items of heading 7602, the entry “2.5%” shall be substituted;

(59) in Chapter 81,—

(i) for the entry in column (4) occurring against tariff item 8105 20 10, the entry “2.5%” shall be substituted;

(ii) for the entry in column (4) occurring against tariff items 8110 10 00 and 8110 20 00, the entry “2.5%” shall be substituted;

(iii) in the entry in column (2) occurring against heading 8112, for the brackets and word “(COLUMBIUM)”, the brackets and words “(COLUMBIUM AND)” shall be substituted;

(iv) for tariff items 8112 61 00 and 8112 69 00 and the entries relating thereto, the following shall be substituted, namely:—

8112 61 00	--	Waste and scrap	kg.	5%	-
------------	----	-----------------	-----	----	---

8112 69	--	<i>Other:</i>			
---------	----	---------------	--	--	--

8112 69 10	---	Cadmium, unwrought; Powders	kg.	5%	-
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8112 69 20	---	Cadmium, wrought	kg.	5%	-
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8112 69 90	---	Other	kg.	10%	-";
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(60) in Chapter 84,—

(i) in Note 2,—

(a) in the opening portion, for the word and figure “Note 9”, the word and figures “Note 11” shall be substituted;

(b) in clause (a), in sub-clause (v), for the words “Machinery or plant”, the words “Machinery, plant or laboratory equipment” shall be substituted;

(ii) for the entry in column (4) occurring against tariff item 8407 21 00, the entry “5%” shall be substituted;

(iii) for the entry in column (4) occurring against tariff item 8419 19 20, the entry “7.5%” shall be substituted;

(iv) for the entry in column (4) occurring against tariff items 8421 39 20 and 8421 39 90, the entry “7.5%” shall be substituted;

(61) in Chapter 85,—

(i) for the entry in column (4) occurring against tariff item 8502 12 00, the entry “7.5%” shall be substituted;

(ii) for the entry in column (4) occurring against all the tariff items of sub-heading 8502 13, the entry “7.5%” shall be substituted;

(iii) for the entry in column (4) occurring against tariff items 8502 20 90 and 8502 31 00, the entry “7.5%” shall be substituted;

(iv) for the entry in column (4), occurring against all the tariff items of sub-heading 8502 39, the entry “7.5%” shall be substituted;

(v) for the entry in column (4) occurring against tariff items 8503 00 10, 8503 00 21, and 8503 00 29, the entry “7.5%” shall be substituted;

(vi) for the entry in column (4) occurring against all the tariff items of sub-heading 8504 10, the entry “7.5%” shall be substituted;

(vii) in heading 8518, for tariff items 8518 21 00 to 8518 30 00 and the entries relating thereto, the following shall be substituted, namely:—

"8518 21	--	<i>Single loudspeakers, mounted in their enclosures:</i>			
8518 21 10	---	Wireless	kg.	20%	-
8518 21 90	---	Other	kg.	20%	-
8518 22	--	<i>Multiple loudspeakers, mounted in the same enclosures:</i>			
8518 22 10	---	Wireless	kg.	20%	-
8518 22 90	---	Other	kg.	20%	-
8518 29	--	<i>Other:</i>			
8518 29 10	---	Wireless	kg.	20%	-
8518 29 90	---	Other	kg.	20%	-
8518 30	-	<i>Headphones and earphones, whether or not combined with a microphone, and sets consisting of a microphone and one or more loudspeakers:</i>			
	---	<i>Headphones and earphones, whether or not combined with a microphone, and capable of connecting through wireless medium:</i>			
8518 30 11	----	True Wireless Stereo [(TWS) Sound channel not connected by wire]	kg.	20%	-
8518 30 19	----	Other	kg.	20%	-
8518 30 20	---	Headphones and earphones, whether or not combined with a microphone, and capable of connecting only through wired medium	kg.	20%	-
8518 30 90	---	Other	kg.	20%	-";

(viii) for the entry in column (4) occurring against tariff item 8518 90 00, the entry “15%” shall be substituted;

(ix) in the entry in column (2) occurring against heading 8541, for the words “SEMICONDUCTOR BASED TRANSDUCERS”, the words “SEMICONDUCTOR-BASED TRANSDUCERS” shall be substituted;

(x) for the entry in column (4) occurring against all the tariff items of headings 8546 and 8547, the entry “7.5%” shall be substituted;

(xi) in the entry in column (2) occurring against tariff item 8549 21 00, for the words “cathode ray tubes”, the words “cathode-ray tubes” shall be substituted;

(xii) in the entry in column (2) occurring against tariff item 8549 31 00, for the words “cathode ray tubes”, the words “cathode-ray tubes” shall be substituted;

(xiii) in the entry in column (2) occurring against tariff item 8549 91 00, for the words “cathode ray tubes”, the words “cathode-ray tubes” shall be substituted;

(62) in Chapter 88,—

(i) in the entry in column (2) occurring against heading 8802, for the words, figures and brackets “OTHER AIRCRAFT, EXCEPT UNMANNED AIRCRAFT OF HEADING 88.06 (FOR EXAMPLE, HELICOPTERS, AEROPLANES)”, the words, brackets and figures “OTHER AIRCRAFT (FOR EXAMPLE, HELICOPTERS, AEROPLANES), EXCEPT UNMANNED AIRCRAFT OF HEADING 8806” shall be substituted;

(ii) for the entry in column (4) occurring against tariff items 8802 11 00 and 8802 12 00, the entry “2.5%” shall be substituted;

(iii) for the entry in column (4) occurring against tariff items 8807 10 00 and 8807 20 00, the entry “2.5%” shall be substituted;

(iv) in the entry in column (2) occurring against tariff item 8807 30 00, for the word “airplanes”, the word “aeroplanes” shall be substituted;

(v) for the entry in column (4) occurring against tariff item 8807 30 00, the entry “2.5%” shall be substituted;

(63) in Chapter 89,—

(i) for the entry in column (4) occurring against tariff item 8902 00 10, the entry “Free” shall be substituted;

(ii) for the entry in column (4) occurring against tariff item 8905 10 00, the entry “Free” shall be substituted;

(iii) for the entry in column (4) occurring against tariff item 8907 10 00, the entry “Free” shall be substituted;

(iv) for the entry in column (4) occurring against tariff item 8908 00 00, the entry “2.5%” shall be substituted;

(64) in Chapter 90,—

(i) for the entry in column (4) occurring against tariff item 9018 11 00, the entry “7.5%” shall be substituted;

(ii) for the entry in column (4) occurring against all the tariff items of sub-heading 9018 12, the entry “7.5%” shall be substituted;

(iii) for the entry in column (4) occurring against tariff items 9018 13 00 and 9018 14 00, the entry “7.5%” shall be substituted;

(iv) for the entry in column (4) occurring against all the tariff items of sub-heading 9018 19, the entry “7.5%” shall be substituted;

(v) for the entry in column (4) occurring against tariff items 9018 20 00, 9018 31 00, 9018 32 10, and 9018 32 20, the entry “7.5%” shall be substituted;

(vi) for the entry in column (4) occurring against tariff item 9018 32 30, the entry “5%” shall be substituted;

(vii) for the entry in column (4) occurring against tariff item 9018 32 90, the entry “7.5%” shall be substituted;

(viii) for the entry in column (4) occurring against all the tariff items of sub-heading 9018 39, the entry “7.5%” shall be substituted;

(ix) for the entry in column (4) occurring against tariff items 9018 41 00, 9018 49 00, and 9018 50 10, the entry “7.5%” shall be substituted;

(x) for the entry in column (4) occurring against tariff item 9018 50 20, the entry “5%” shall be substituted;

(xi) for the entry in column (4) occurring against tariff items 9018 50 30, 9018 50 90, 9018 90 11, 9018 90 12 and 9018 90 19, the entry “7.5%” shall be substituted;

(xii) for the entry in column (4) occurring against tariff item 9018 90 21, the entry “5%” shall be substituted;

(xiii) for the entry in column (4) occurring against tariff items 9018 90 22 and 9018 90 23, the entry “7.5%” shall be substituted;

(xiv) for the entry in column (4) occurring against tariff item 9018 90 24, the entry “5%” shall be substituted;

(xv) for the entry in column (4) occurring against tariff items 9018 90 25, 9018 90 29, 9018 90 31, 9018 90 32, 9018 90 41 and 9018 90 42, the entry “7.5%” shall be substituted;

(xvi) for the entry in column (4) occurring against tariff item 9018 90 43, the entry “5%” shall be substituted;

(xvii) for the entry in column (4) occurring against tariff items 9018 90 44, 9018 90 91, 9018 90 92, 9018 90 93 and 9018 90 94, the entry “7.5%” shall be substituted;

(xviii) for the entry in column (4) occurring against tariff items 9018 90 95, 9018 90 96, 9018 90 97 and 9018 90 98, the entry “5%” shall be substituted;

(xix) for the entry in column (4) occurring against tariff item 9019 10 10, the entry “7.5%” shall be substituted;

(xx) for the entry in column (4) occurring against tariff item 9019 10 90, the entry “7.5%” shall be substituted;

(xxi) for the entry in column (4) occurring against all the tariff items of sub-heading 9019 20, the entry “7.5%” shall be substituted;

(xxii) for the entry in column (4) occurring against tariff item 9020 00 00, the entry “7.5%” shall be substituted;

(xxiii) for the entry in column (4) occurring against all the tariff items of heading 9021, the entry “7.5%” shall be substituted;

(xxiv) for the entry in column (4) occurring against tariff item 9030 31 00, the entry “7.5%” shall be substituted;

(xxv) for the entry in column (4) occurring against tariff item 9030 90 10, the entry “7.5%” shall be substituted;

(65) in Chapter 91,—

(i) for the entry in column (4) occurring against all the tariff items of heading 9108, the entry “5%”, shall be substituted;

(ii) for the entry in column (4) occurring against tariff items 9110 11 00, 9110 12 00 and 9110 19 00, the entry “5%”, shall be substituted;

(iii) for the entry in column (4) occurring against tariff item 9114 30 10, the entry “5%” shall be substituted;

(66) in Chapter 95,—

(i) in clause (u) of Note 1, for the words “Electric garlands”, the words “Lighting strings” shall be substituted;

(ii) in the entry in column (2), occurring against heading 9504, for the words “BANK NOTES”, the word “BANKNOTES” shall be substituted;

(iii) in heading 9503, for tariff items 9503 00 10 to 9503 00 90 and the entries relating thereto, the following shall be substituted, namely:—

"9503 00 10	---	Electronic	u	60%	-
9503 00 20	---	Non electronic	u	60%	-
	---	<i>Parts:</i>			
9503 00 91	----	Of electronic toys	u	60%	-
9503 00 99	----	Other	u	60%	-";

(iv) for the entry in column (4) occurring against all the tariff items of sub-heading 9506 91, the entry “10%” shall be substituted;

(67) in Chapter 97,—

(i) in clause (A) of Note 5, for the words and figures “Notes 1 to 3”, the words and figures “Notes 1 to 4” shall be substituted;

(ii) in the entry in column (2) occurring against heading 9705, for the words “PALEONTOLOGICAL, OR NUMISMATIC”, the words “PALEONTOLOGICAL OR NUMISMATIC” shall be substituted;

(68) in Chapter 98, for the entry in column (4) occurring against all the tariff items of heading 9801, the entry “7.5%” shall be substituted.

THE FOURTH SCHEDULE

(See section 99)

In the Fourth Schedule to the Central Excise Act, in Chapter 27, in sub-heading 2710 12, for tariff items 2710 12 39 to 2710 12 49 and the entries relating thereto, the following shall be substituted, namely:—

Tariff Item	Description of goods	Unit	Rate of Duty
(1)	(2)	(3)	(4)
"2710 12 39	---- Solvent 145/205	kg.
	--- <i>Motor Gasoline conforming to standard IS 2796, IS 17021, IS 17586 or IS 17076:</i>		
2710 12 41	---- Motor Gasoline conforming to standard IS 2796	kg.	14%+Rs.15.00 per litre
2710 12 42	---- E 20 Fuel conforming to standard IS 17021	kg.	14%+Rs.15.00 per litre
2710 12 43	---- E 12 Fuel conforming to standard IS 17586	kg.	14%+Rs.15.00 per litre
2710 12 44	---- E 15 Fuel conforming to standard IS 17586	kg.	14%+Rs.15.00 per litre
2710 12 49	---- M 15 Fuel conforming to standard IS 17076	kg.	14%+Rs.15.00 per litre."

THE FIFTH SCHEDULE

[See section 115(I)]

Notification number and date	Amendment	Date of effect of amendment
(1)	(2)	(3)
G.S.R 58 (E), dated the 23rd January, 2018 [No.349/58/2017-GST (Pt), dated 23rd January, 2018]	In the said notification, in paragraph 1, for the words “furnishing of returns and computation and settlement of integrated tax”, the following shall be substituted, namely:— “furnishing of returns and computation and settlement of integrated tax and save as otherwise provided in the notification number G.S.R. 925(E), dated the 13th December, 2019, all functions provided under the Central Goods and Services Tax Rules, 2017.”.	22nd June, 2017.

THE SIXTH SCHEDULE

[See section 116(I)]

Notification number and date	Amendment	Date of effect of amendment
(1)	(2)	(3)
G.S.R 661 (E), dated the 28th June, 2017 [No.349/72/2017-GST, dated 28th June, 2017]	In the said notification, in the Table, against serial number 2, in column (3), for the figures “24”, the figures “18” shall be substituted.	1st July, 2017.

THE SEVENTH SCHEDULE

[See section 119(I)]

Notification number and date	Amendment	Date of effect of amendment
(1)	(2)	(3)
G.S.R.698(E), dated the 28th June, 2017 [No.349/72/2017-GST, dated the 28th June, 2017]	In the said notification, in the Table, against serial number 2, in column (3), for the figures “24”, the figures “18” shall be substituted.	1st July, 2017.

THE EIGHTH SCHEDULE

[See section 122(I)]

Notification number and date	Amendment	Date of effect of amendment
(1)	(2)	(3)
G.S.R.747 (E), dated the 30th June, 2017 [No.S031011/25/20170ST-I-DoR, dated the 30th June, 2017]	In the said notification, in the Table, against serial number 2, in column (3), for the figures and words “24 per cent.”, the figures and words “18 per cent.” shall be substituted.	1st July, 2017.

THE NINTH SCHEDULE

(See section 126)

In the Seventh Schedule to the Finance Act, 2001, for tariff item 2709 20 00 and the entries relating thereto, the following tariff item and entries shall be substituted, namely:—

Tariff item	Description of goods	Unit	Rate of duty
(1)	(2)	(3)	(4)
“2709 00 10	Petroleum crude	kg.	Rs.50 per tonne.”.

DR. REETA VASISHTA,
Secretary to the Govt. of India.



भारत का राजपत्र The Gazette of India

सी.जी.-डी.एल.-अ.-26042022-235358
CG-DL-E-26042022-235358

असाधारण

EXTRAORDINARY

भाग II — खण्ड 1

PART II — Section 1

प्राधिकार से प्रकाशित

PUBLISHED BY AUTHORITY

सं० 14]	नई दिल्ली, मंगलवार, अप्रैल 26, 2022/वैशाख 6, 1944 (शक)
No. 14]	NEW DELHI, TUESDAY, APRIL 26, 2022/VAISAKHA 6, 1944 (SAKA)

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।
Separate paging is given to this Part in order that it may be filed as a separate compilation.

MINISTRY OF LAW AND JUSTICE (Legislative Department)

New Delhi, the 26th April, 2022/ Vaisakha 6, 1944 (Saka)

CORRIGENDUM

THE FINANCE ACT, 2022

No. 6 OF 2022

In the Finance Act, 2022 (6 of 2022), published in the Gazette of India, Extraordinary, Part II, Section 1, dated the 30th March, 2022, Issue No. 6, at page 129, in line 13, *for* “6207 29 20”, *read* “6208 29 20”.

DR. REETA VASISHTA,
Secretary to the Govt. of India.

ಕರ್ನಾಟಕ ರಾಜ್ಯಪಾಲರ ಆದೇಶಾನುಸಾರ
ಮತ್ತು ಅವರ ಹೆಸರಿನಲ್ಲಿ

(ಆರ್. ಶ್ರೀನಿವಾಸ)
ಸಹಾಯಕ ಪ್ರಾರೋಪಕಾರ ಮತ್ತು ಪದನಿಮಿತ್ತ
ಸರ್ಕಾರದ ಉಪ ಕಾರ್ಯದರ್ಶಿ
ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು
ಶಾಸನ ರಚನೆ ಇಲಾಖೆ

PR-43

**ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಇಲಾಖೆ
ಅಧಿಸೂಚನೆ**

ಸಂಖ್ಯೆ: ಸಂವ್ಯಶಾಇ 09 ಕೇಶಾಪು 2022 ಬೆಂಗಳೂರು, ದಿನಾಂಕ: 06.05.2022.
ದಿನಾಂಕ: 08.04.2022 ರಂದು ಭಾರತ ಸರ್ಕಾರದ ಗೆಜೆಟ್‌ನ ವಿಶೇಷ ಸಂಚಿಕೆಯ Part-II-
Section-1 ರಲ್ಲಿ ಪ್ರಕಟವಾದ THE CONSTITUTION (SCHEDULED CASTES AND SCHEDULED
TRIBES) ORDERS (AMENDMENT) ACT, 2022 (NO.8 OF 2022) ಅನ್ನು ಸಾರ್ವಜನಿಕರ
ಮಾಹಿತಿಗಾಗಿ ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರದಲ್ಲಿ ಮರು ಪ್ರಕಟಿಸಲಾಗಿದೆ,-



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सी.जी.-डी.एल.-अ.-08042022-234990
CG-DL-E-08042022-234990

असाधारण

EXTRAORDINARY

भाग II — खण्ड 1

PART II — Section 1

प्राधिकार से प्रकाशित

PUBLISHED BY AUTHORITY

सं० 8] नई दिल्ली, शुक्रवार, अप्रैल 8, 2022/चैत्र 18, 1944 (शक)
No. 8] NEW DELHI, FRIDAY, APRIL 8, 2022/CHAITRA 18, 1944 (SAKA)

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।
Separate paging is given to this Part in order that it may be filed as a separate compilation.

MINISTRY OF LAW AND JUSTICE (Legislative Department)

New Delhi, the 8th April, 2022/Chaitra 18, 1944 (Saka)

The following Act of Parliament received the assent of the President on the 8th April, 2022 and is hereby published for general information:—

THE CONSTITUTION (SCHEDULED CASTES AND SCHEDULED TRIBES) ORDERS (AMENDMENT) ACT, 2022

NO. 8 OF 2022

[8th April, 2022.]

An Act further to amend the Constitution (Scheduled Castes) Order, 1950 to omit Bhogta community from the list of Scheduled Castes in relation to the State of Jharkhand and the Constitution (Scheduled Tribes) Order, 1950 for inclusion of certain communities in the lists of Scheduled Tribes in relation to the State of Jharkhand.

BE it enacted by Parliament in the Seventy-third Year of the Republic of India as follows:—

1. This Act may be called the Constitution (Scheduled Castes and Scheduled Tribes) Orders (Amendment) Act, 2022. Short title.

Amendment of Constitution (Scheduled Castes) Order, 1950. **2.** In the Schedule to the Constitution (Scheduled Castes) Order, 1950, in Part VIA.— C.O. 19.
Jharkhand, entry 3 shall be omitted.

Amendment of Constitution (Scheduled Tribes) Order, 1950. **3.** In the Schedule to the Constitution (Scheduled Tribes) Order, 1950, in Part XXII.— C.O. 22.
Jharkhand,—
(i) for entry 16, the following entry shall be substituted, namely:—

“16. Kharwar, Bhogta, Deshwari, Ganjhu, Dautalbandi (Dwalbandi), Patbandi, Raut, Maajhia, Khairi (Kheri)”;

(ii) in entry 24, after “Patar”, the following shall be inserted, namely:—

“, Tamaria (Tamadia)”;

(iii) after entry 32, the following entry shall be inserted, namely:—

“33. Puran”.

DR. REETA VASISHTA,
Secretary to the Govt. of India.

ಕರ್ನಾಟಕ ರಾಜ್ಯಪಾಲರ ಆದೇಶಾನುಸಾರ
ಮತ್ತು ಅವರ ಹೆಸರಿನಲ್ಲಿ

(ಆರ್. ಶ್ರೀನಿವಾಸ)
ಸಹಾಯಕ ಪ್ರಾರೋಪಕಾರ ಮತ್ತು ಪದನಿಮಿತ್ತ
ಸರ್ಕಾರದ ಉಪ ಕಾರ್ಯದರ್ಶಿ
ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು
ಶಾಸನ ರಚನೆ ಇಲಾಖೆ

PR-44

**ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಇಲಾಖೆ
ಅಧಿಸೂಚನೆ**

ಸಂಖ್ಯೆ: ಸಂವ್ಯಾಶಾಇ 10 ಕೇಶಾಪು 2022 ಬೆಂಗಳೂರು, ದಿನಾಂಕ: 06.05.2022.

ದಿನಾಂಕ: 18.04.2022 ರಂದು ಭಾರತ ಸರ್ಕಾರದ ಗೆಜೆಟ್‌ನ ವಿಶೇಷ ಸಂಚಿಕೆಯ Part-II-
Section-1 ರಲ್ಲಿ ಪ್ರಕಟವಾದ THE CONSTITUTION (SCHEDULED TRIBES) ORDER
(AMENDMENT) ACT, 2022 (NO.9 OF 2022) ಅನ್ನು ಸಾರ್ವಜನಿಕರ ಮಾಹಿತಿಗಾಗಿ ಕರ್ನಾಟಕ
ರಾಜ್ಯಪತ್ರದಲ್ಲಿ ಮರು ಪ್ರಕಟಿಸಲಾಗಿದೆ,-



भारत का राजपत्र The Gazette of India

सी.जी.-डी.एल.-अ.-18042022-235188
CG-DL-E-18042022-235188

असाधारण

EXTRAORDINARY

भाग II — खण्ड 1

PART II — Section 1

प्राधिकार से प्रकाशित

PUBLISHED BY AUTHORITY

सं० 9]	नई दिल्ली, सोमवार, अप्रैल 18, 2022/चैत्र 28, 1944 (शक)
No. 9]	NEW DELHI, MONDAY, APRIL 18, 2022/CHAITRA 28, 1944 (SAKA)

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।
Separate paging is given to this Part in order that it may be filed as a separate compilation.

MINISTRY OF LAW AND JUSTICE (Legislative Department)

New Delhi, the 18th April, 2022/Chaitra 28, 1944 (Saka)

The following Act of Parliament received the assent of the President on the 18th April, 2022 and is hereby published for general information:—

THE CONSTITUTION (SCHEDULED TRIBES) ORDER (AMENDMENT) ACT, 2022

No. 9 OF 2022

[18th April, 2022]

An Act further to amend the Constitution (Scheduled Tribes) Order, 1950 for inclusion of certain community in the list of Scheduled Tribes in relation to the State of Tripura.

BE it enacted by Parliament in the Seventy-third Year of the Republic of India as follows:—

1. This Act may be called the Constitution (Scheduled Tribes) Order (Amendment) Act, 2022. Short title.

Amendment of
Constitution
(Scheduled
Tribes) Order,
1950.

2. In the Constitution (Scheduled Tribes) Order, 1950, in the Schedule, in PART XV.— C.O. 22.
Tripura, in entry 9, after item (iii), the following item shall be inserted, namely:—

“(iiiia) Darlong”.

DR. REETA VASISHTA,
Secretary to the Govt. of India.

CORRIGENDA

In the Assisted Reproductive Technology (Regulation) Act, 2021 (42 of 2021),
as Published in the Gazette of India Extraordinary, Part II, Section 1, dated the 20th
December, 2021, Issue No. 59,—

(i) at page 2, line 32, *for* “section 15”, *read* “section 17”;

(ii) at page 2, line 45, *for* “sub-section (I) of section 24”, *read*
“section 26”;

(iii) at page 3, line 13, *for* “section 15”, *read* “section 17”;

(iv) at page 4, line 3, *for* “sub-section (I) of section 24”, *read*
“section 26”.

ಕರ್ನಾಟಕ ರಾಜ್ಯಪಾಲರ ಆದೇಶಾನುಸಾರ
ಮತ್ತು ಅವರ ಹೆಸರಿನಲ್ಲಿ

(ಆರ್. ಶ್ರೀನಿವಾಸ)
ಸಹಾಯಕ ಪ್ರಾರೋಪಕಾರ ಮತ್ತು ಪದನಿಮಿತ್ತ
ಸರ್ಕಾರದ ಉಪ ಕಾರ್ಯದರ್ಶಿ
ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು
ಶಾಸನ ರಚನೆ ಇಲಾಖೆ

PR-45

**ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಇಲಾಖೆ
ಅಧಿಸೂಚನೆ**

ಸಂಖ್ಯೆ: ಸಂವ್ಯಾಸಾಇ 11 ಕೇಶಾಪ್ರ 2022 ಬೆಂಗಳೂರು, ದಿನಾಂಕ: 06.05.2022.
ದಿನಾಂಕ: 18.04.2022 ರಂದು ಭಾರತ ಸರ್ಕಾರದ ಗೆಜೆಟ್‌ನ ವಿಶೇಷ ಸಂಚಿಕೆಯ Part-II-
Section-1 ರಲ್ಲಿ ಪ್ರಕಟವಾದ THE CRIMINAL PROCEDURE (IDENTIFICATION) ACT, 2022
(NO.11 OF 2022) ಅನ್ನು ಸಾರ್ವಜನಿಕರ ಮಾಹಿತಿಗಾಗಿ ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರದಲ್ಲಿ ಮರು
ಪ್ರಕಟಿಸಲಾಗಿದೆ,-



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असाधारण

EXTRAORDINARY

भाग II — खण्ड 1

PART II — Section 1

प्राधिकार से प्रकाशित

PUBLISHED BY AUTHORITY

सं० 11] नई दिल्ली, सोमवार, अप्रैल 18, 2022/चैत्र 28, 1944 (शक)
No. 11] NEW DELHI, MONDAY, APRIL 18, 2022/CHAITRA 28, 1944 (SAKA)

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।
Separate paging is given to this Part in order that it may be filed as a separate compilation.

MINISTRY OF LAW AND JUSTICE (Legislative Department)

New Delhi, the 18th April, 2022/Chaitra 28, 1944 (Saka)

The following Act of Parliament received the assent of the President on the 18th April, 2022 and is hereby published for general information:—

THE CRIMINAL PROCEDURE (IDENTIFICATION) ACT, 2022

No. 11 OF 2022

[18th April, 2022]

An Act to authorise for taking measurements of convicts and other persons for the purposes of identification and investigation in criminal matters and to preserve records and for matters connected therewith and incidental thereto.

BE it enacted by Parliament in the Seventy-third Year of the Republic of India as follows:—

1. (1) This Act may be called the Criminal Procedure (Identification) Act, 2022.

Short title and
commencement.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

2. (1) In this Act, unless the context otherwise requires,—

Definitions.

(a) "Magistrate" means,—

(i) in relation to a metropolitan area, the Metropolitan Magistrate;

(ii) in relation to any other area, the Judicial Magistrate of the first class; or

(iii) in relation to ordering someone to give security for his good behaviour or maintaining peace, the Executive Magistrate;

(b) "measurements" includes finger-impressions, palm-print impressions, foot-print impressions, photographs, iris and retina scan, physical, biological samples and their analysis, behavioural attributes including signatures, handwriting or any other examination referred to in section 53 or section 53A of the Code of Criminal Procedure, 1973;

2 of 1974.

(c) "police officer" means the officer-in-charge of a police station or an officer not below the rank of Head Constable;

(d) "prescribed" means prescribed by rules made under this Act;

(e) "prison officer" means an officer of prison not below the rank of Head Warder.

(2) Words and expressions used herein and not defined but defined in the Indian Penal Code and the Code of Criminal Procedure, 1973 shall have the same meanings respectively assigned to them in those Codes.

45 of 1860.
2 of 1974.

Taking of
measurement.

3. Any person, who has been,—

(a) convicted of an offence punishable under any law for the time being in force; or

(b) ordered to give security for his good behaviour or maintaining peace under section 117 of the Code of Criminal Procedure, 1973 for a proceeding under section 107 or section 108 or section 109 or section 110 of the said Code; or

2 of 1974.

(c) arrested in connection with an offence punishable under any law for the time being in force or detained under any preventive detention law,

shall, if so required, allow his measurement to be taken by a police officer or a prison officer in such manner as may be prescribed by the Central Government or the State Government:

Provided that any person arrested for an offence committed under any law for the time being in force (except for an offence committed against a woman or a child or for any offence punishable with imprisonment for a period not less than seven years) may not be obliged to allow taking of his biological samples under the provisions of this section.

Collection,
storing,
preservation
of
measurements
and storing,
sharing,
dissemination,
destruction
and disposal of
records.

4. (1) The National Crime Records Bureau shall, in the interest of prevention, detection, investigation and prosecution of any offence under any law for the time being in force,—

(a) collect the record of measurements from State Government or Union territory Administration or any other law enforcement agencies;

(b) store, preserve and destroy the record of measurements at national level;

(c) process such record with relevant crime and criminal records; and

(d) share and disseminate such records with any law enforcement agency,

in such manner as may be prescribed.

(2) The record of measurements shall be retained in digital or electronic form for a period of seventy-five years from the date of collection of such measurement:

Provided that where any person, who has not been previously convicted of an offence punishable under any law with imprisonment for any term, has had his measurements taken according to the provisions of this Act, is released without trial or discharged or acquitted by the court, after exhausting all legal remedies, all records of measurements so taken shall, unless the court or Magistrate, for reasons to be recorded in writing otherwise directs, be destroyed from records.

(3) The State Government and Union territory Administration may notify an appropriate agency to collect, preserve and share the measurements in their respective jurisdictions.

2 of 1974.	<p>5. Where the Magistrate is satisfied that, for the purpose of any investigation or proceeding under the Code of Criminal Procedure, 1973 or any other law for the time being in force, it is expedient to direct any person to give measurements under this Act, the Magistrate may make an order to that effect and in that case, the person to whom the order relates shall allow the measurements to be taken in conformity with such directions.</p>	Power of Magistrate to direct a person to give measurements.
	<p>6. (1) If any person who is required to allow the measurements to be taken under this Act resists or refuses to allow taking of such measurements, it shall be lawful for the police officer or prison officer to take such measurements in such manner as may be prescribed.</p>	Resistance to allow taking of measurements.
45 of 1860.	<p>(2) Resistance to or refusal to allow the taking of measurements under this Act shall be deemed to be an offence under section 186 of the Indian Penal Code.</p>	
	<p>7. No suit or any other proceeding shall lie against any person for anything done, or intended to be done in good faith under this Act or any rule made thereunder.</p>	Bar of suit.
	<p>8. (1) The Central Government or the State Government may, by notification in the Official Gazette, make rules for carrying out the purposes of this Act.</p>	Power to make rules.
	<p>(2) In particular, and without prejudice to the generality of the foregoing provisions, such rules may provide for all or any of the following matters, namely:—</p> <p>(a) the manner of taking measurements under section 3;</p> <p>(b) the manner of collection, storing, preservation of measurements and sharing, dissemination, destruction and disposal of records under sub-section (1) of section 4;</p> <p>(c) the manner of taking of measurements under sub-section (1) of section 6;</p> <p>(d) any other matter which is to be prescribed, or in respect of which provision is to be made.</p> <p>(3) Every rule made by the Central Government under this Act shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.</p> <p>(4) Every rule made by the State Government under this Act shall be laid, as soon as may be after it is made, before each House of the State Legislature where it consists of two Houses, or where such Legislature consists of one House, before that House.</p>	
	<p>9. (1) If any difficulty arises in giving effect to the provisions of this Act, the Central Government may, by order, published in the Official Gazette, make such provisions not inconsistent with the provisions of this Act as appear to it to be necessary for removing the difficulty:</p> <p>Provided that no such order shall be made under this section after the expiry of three years from the commencement of this Act.</p> <p>(2) Every order made under this section shall be laid, as soon as may be after it is made, before each House of Parliament.</p>	Power to remove difficulties.
33 of 1920.	<p>10. (1) The Identification of Prisoners Act, 1920 is hereby repealed.</p> <p>(2) Notwithstanding such repeal, anything done or any action taken or purported to have done or taken including any rule, regulation, or any proceedings taken, any rule made or any direction given or any proceedings taken or any penalty or fine imposed under the repealed Act shall, in so far as it is not inconsistent with the provisions of this Act, be deemed to have been done or taken under the corresponding provisions of this Act.</p>	Repeal and saving.

(3) The mention of particular matters in sub-section (2) shall not be held to prejudice or affect the general application of section 6 of the General Clauses Act, 1897 with regard to the effect of repeal. 10 of 1897.

DR. REETA VASISHTA,
Secretary to the Govt. of India.

ಕರ್ನಾಟಕ ರಾಜ್ಯಪಾಲರ ಆದೇಶಾನುಸಾರ
ಮತ್ತು ಅವರ ಹೆಸರಿನಲ್ಲಿ

(ಆರ್. ಶ್ರೀನಿವಾಸ)
ಸಹಾಯಕ ಪ್ರಾರೋಪಕಾರ ಮತ್ತು ಪದನಿಮಿತ್ತ
ಸರ್ಕಾರದ ಉಪ ಕಾರ್ಯದರ್ಶಿ
ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು
ಶಾಸನ ರಚನೆ ಇಲಾಖೆ

PR-46

**ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಇಲಾಖೆ
ಅಧಿಸೂಚನೆ**

ಸಂಖ್ಯೆ: ಸಂವ್ಯಶಾಇ 12 ಕೇಶಾಪು 2022 ಬೆಂಗಳೂರು, ದಿನಾಂಕ: 06.05.2022.
ದಿನಾಂಕ: 18.04.2022 ರಂದು ಭಾರತ ಸರ್ಕಾರದ ಗೆಜೆಟ್‌ನ ವಿಶೇಷ ಸಂಚಿಕೆಯ Part-II-
Section-1 ರಲ್ಲಿ ಪ್ರಕಟವಾದ THE CHARTERED ACCOUNTANTS, THE COST AND WORKS
ACCOUNTANTS AND THE COMPANY SECRETARIES (AMENDMENT) ACT, 2022 (NO.12 OF
2022) ಮತ್ತು ಸದರಿ ಅಧಿನಿಯಮಕ್ಕೆ ಸಂಬಂಧಿಸಿದ ದಿನಾಂಕ: 25.04.2022ರ ಭಾರತ ಸರ್ಕಾರದ
ರಾಜ್ಯಪತ್ರದಲ್ಲಿ ಪ್ರಕಟಿಸಲ್ಪಟ್ಟಿರುವ CORRIGENDUM ಅನ್ನು ಸಾರ್ವಜನಿಕರ ಮಾಹಿತಿಗಾಗಿ
ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರದಲ್ಲಿ ಮರು ಪ್ರಕಟಿಸಲಾಗಿದೆ,-



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सी.जी.-डी.एल.-अ.-18042022-235187
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असाधारण

EXTRAORDINARY

भाग II — खण्ड 1

PART II — Section 1

प्राधिकार से प्रकाशित

PUBLISHED BY AUTHORITY

सं० 12]	नई दिल्ली, सोमवार, अप्रैल 18, 2022/चैत्र 28, 1944 (शक)
No. 12]	NEW DELHI, MONDAY, APRIL 18, 2022/CHAITRA 28, 1944 (SAKA)

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।
Separate paging is given to this Part in order that it may be filed as a separate compilation.

MINISTRY OF LAW AND JUSTICE (Legislative Department)

New Delhi, the 18th April, 2022/Chaitra 28, 1944 (Saka)

The following Act of Parliament received the assent of the President on the 18th April, 2022 and is hereby published for general information:—

THE CHARTERED ACCOUNTANTS, THE COST AND WORKS ACCOUNTANTS AND THE COMPANY SECRETARIES (AMENDMENT) ACT, 2022

No. 12 OF 2022

[18th April, 2022.]

An Act further to amend the Chartered Accountants Act, 1949, the Cost and Works Accountants Act, 1959 and the Company Secretaries Act, 1980.

BE it enacted by Parliament in the Seventy-third Year of the Republic of India as follows:—

CHAPTER I

PRELIMINARY

1. (1) This Act may be called the Chartered Accountants, the Cost and Works Accountants and the Company Secretaries (Amendment) Act, 2022.

Short title
and
commencement.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint, and different dates may be appointed for different provisions of this Act and any reference in any provision to the commencement of this Act shall be construed as a reference to the coming into force of that provision.

CHAPTER II

AMENDMENTS TO THE CHARTERED ACCOUNTANTS ACT, 1949

Amendment
of long title
and preamble.

2. In the Chartered Accountants Act, 1949 (hereafter in this Chapter referred to as the principal Act), in the long title and preamble, for the word “regulation”, the words “regulation and development” shall be substituted. 38 of 1949.

Amendment
of section 2.

3. In section 2 of the principal Act, in sub-section (1),—

(i) after clause (aaa), the following clause shall be inserted, namely:—

‘(ab) “Board of Discipline” means the Board of Discipline constituted under sub-section (1) of section 21A;’;

(ii) after clause (b), the following clauses shall be inserted, namely:—

‘(ba) “Coordination Committee” means the Coordination Committee constituted under section 9A;

‘(bb) “Companies Act” means the Companies Act, 2013 or any other previous company law as defined in sub-section (67) of section 2 of the said Act;’; 18 of 2013.

(iii) in clause (c), after the words “Council of the Institute”, the words “constituted under section 9” shall be inserted;

(iv) after clause (ca), the following clauses shall be inserted, namely:—

‘(cb) “Director (Discipline)” means the Director (Discipline) referred to in section 21 and includes Joint Director (Discipline);

‘(cc) “Disciplinary Committee” means the Disciplinary Committee constituted under sub-section (1) of section 21B;

‘(cd) “Disciplinary Directorate” means the Disciplinary Directorate established under sub-section (1) of section 21;

‘(ce) “fellow” means a fellow member of the Institute;’;

(v) for clause (ea), the following clause shall be substituted, namely:—

‘(ea) “notification” means a notification published in the Official Gazette and the term “notify” shall be construed accordingly;’;

(vi) for clause (g), the following clause shall be substituted, namely:—

‘(g) “Register” means the Register of members of the Institute maintained under section 19 or the Register of firms of the Institute maintained under section 20B, as the case may be;’;

(vii) after clause (haa), the following clause shall be inserted, namely:—

‘(haaa) “Standing Committee” means a Standing Committee constituted under sub-section (1) of section 17;’.

Amendment
of section 4.

4. In section 4 of the principal Act,—

(i) for the word “Register”, wherever it occurs, the words “Register of members” shall be substituted;

(ii) in sub-section (1), in clauses (v) and (vi), for the words “without India”, wherever they occur, the words “outside India” shall be substituted;

(iii) in sub-section (3),—

(a) the words “, which shall not exceed rupees three thousand” shall be omitted;

(b) the proviso shall be omitted.

5. In section 5 of the principal Act,—Amendment
of section 5.

(i) for the word “Register”, occurring at both the places, the words “Register of members” shall be substituted;

(ii) in sub-section (3),—

(a) the words “which shall not exceed rupees five thousand” shall be omitted;

(b) the proviso shall be omitted.

6. In section 6 of the principal Act, for sub-section (2), the following sub-section shall be substituted, namely:—Amendment
of section 6.

“(2) Every such member shall pay annual fee for the certificate as may be determined, by notification, by the Council, and such fee shall be payable on or before the 1st day of April each year.”.

7. In section 8 of the principal Act,—Amendment
of section 8.

(i) for the word “Register”, wherever it occurs, the words “Register of members” shall be substituted;

(ii) in clause (iii), after the words “undischarged insolvent”, the words “or an undischarged bankrupt” shall be inserted;

(iii) after clause (iii), the following clause shall be inserted, namely:—

“(iiia) is declared bankrupt under the Insolvency and Bankruptcy Code, 2016; or”;

(iv) in clause (v),—

(a) for the words “without India”, the words “outside India” shall be substituted;

(b) the words “transportation or” shall be omitted.

8. In section 9 of the principal Act,—Amendment
of section 9.

(i) in sub-section (2),—

(a) for the word “Register”, occurring at both the places, the words “Register of members” shall be substituted;

(b) for the words “three years”, the words “four years” shall be substituted;

(c) for the words “six years”, the words “eight years” shall be substituted;

(ii) in sub-section (4),—

(a) for the word “person”, the words “member of the Institute or any partner of a firm” shall be substituted;

(b) for the words “three years”, the words “four years” shall be substituted.

9. After section 9 of the principal Act, the following section shall be inserted, namely:—Insertion of
new section
9A.

“9A. (1) There shall be a Coordination Committee consisting of the President, Vice-President and the Secretary of the Council of each of the Institutes of Chartered Accountants of India, the Cost Accountants of India and the Company Secretaries of India for the development and harmonisation of the professions of Chartered Accountants, Cost Accountants and Company Secretaries.

Coordination
Committee.

(2) The meeting of the Coordination Committee shall be chaired by the Secretary, Ministry of Corporate Affairs.

(3) The meeting of the Coordination Committee shall be held once in every quarter of a year.

(4) The Committee shall be responsible for the effective coordination of the functions assigned to each Institute and shall—

(i) ensure quality improvement of the academics, infrastructure, research and all related works of the Institute;

(ii) focus on the coordination and collaboration among the professions, to make the profession more effective and robust;

(iii) align the cross-disciplinary regulatory mechanisms for inter professional development;

(iv) make recommendations in matters relating to regulatory policies for the professions;

(v) perform such other functions incidental to clauses (i) to (iv) above.”.

Amendment
of section 10.

10. Section 10 of the principal Act shall be renumbered as sub-section (1) thereof and,—

(i) in the first proviso to sub-section (1) as so renumbered, for the words “three consecutive terms”, the words “two consecutive terms” shall be substituted;

(ii) after sub-section (1) as so renumbered and amended, the following sub-section shall be inserted, namely:—

“(2) Notwithstanding anything contained in sub-section (1), a member of the Council who immediately at the commencement of the Chartered Accountants, the Cost and Works Accountants and the Company Secretaries (Amendment) Act, 2022, has held office as such member for two terms or is holding office for the second term of three years, shall be eligible to contest for one more term of four years and a member who has held office for one term or is holding office for the first term of three years, shall be eligible to contest for two more consecutive terms.”.

Amendment
of section 12.

11. In section 12 of the principal Act,—

(i) in sub-section (1), the proviso shall be omitted;

(ii) in sub-section (2), for the words “Chief Executive Authority”, the word “Head” shall be substituted;

(iii) after sub-section (2), the following sub-sections shall be inserted, namely:—

“(2A) The President shall preside at the meetings of the Council.

(2B) The President and the Vice-President shall exercise such powers and perform such duties and functions as may be prescribed.

(2C) It shall be the duty of the President to ensure that the decisions taken by the Council are implemented.

(2D) If, for any reason a vacancy occurs in the office of the President, or if the President is absent or for any other reason, is unable to exercise the powers or perform the duties assigned to him, the Vice-President shall act in his place and exercise the powers and perform the duties of the President.”.

Amendment
of section 13.

12. In section 13 of the principal Act, in sub-section (2), for the word “Register”, the words “Register of members” shall be substituted.

Amendment
of section 14.

13. In section 14 of the principal Act, in sub-section (1), for the words “three years”, the words “four years” shall be substituted.

14. In section 15 of the principal Act, in sub-section (2),—

Amendment
of section 15.

(i) for clauses (b) and (c) the following clauses shall be substituted, namely:—

“(b) the prescribing of fees for the examination of candidates for enrolment;

(c) the granting or refusal, of registration of a firm;”;

(ii) in clause (d), for the word “Register”, the words “Register of members” shall be substituted;

(iii) for clause (f), the following clauses shall be substituted, namely:—

“(f) the prescribing of guidelines for grant or refusal of certificates of practice under this Act;

(fa) to issue guidelines for the purpose of carrying out the objects of this Act;”;

(iv) clause (g) shall be omitted;

(v) in clause (h), the words “and collection” shall be omitted;

(vi) clause (i) shall be omitted;

(vii) for clause (l), the following clauses shall be substituted, namely:—

“(l) to conduct investor education and awareness programmes;

(la) to enter into any memorandum or arrangement with the prior approval of the Central Government, with any agency of a foreign country, for the purpose of performing its functions under this Act;”.

15. After section 15A of the principal Act, the following section shall be inserted, namely:—

Insertion of
new section
15B.

“15B. The functions of the Institute shall include—

Functions of
Institute.

(a) the examination of candidates for enrolment;

(b) the regulation of the engagement and training of articled and audit assistants;

(c) the maintenance and publication of a Register of persons qualified to practice as chartered accountants;

(d) the maintenance and publication of Register of firms;

(e) collection of fees from members, examinees and other persons;

(f) subject to the orders of the appropriate authorities under this Act, the removal of names from the Register of members and firms and the restoration of names to the Register of members and firms which have been removed;

(g) the maintenance of a library and publication of books and periodicals relating to accountancy and allied subjects;

(h) the conduct of elections to the Council of the Institute; and

(i) the granting or refusal of certificates of practice as per guidelines issued by the Council.”.

Amendment
of section 16.

16. In section 16 of the principal Act,—

(i) for sub-section (1), the following sub-section shall be substituted, namely:—

“(1) For the efficient performance of its duties, the Council shall appoint—

(a) a Secretary who will carry out administrative functions of the Institute, as its Chief Executive Officer;

(b) a Director (Discipline) and Joint Directors (Discipline) not below the rank of Deputy Secretary of the Institute, to perform such functions as are assigned to them under this Act and the rules and regulations framed thereunder:

Provided that no appointment or re-appointment or termination of appointment of Director (Discipline) or Joint Director (Discipline) shall have effect unless such appointment, re-appointment or termination of appointment is made with the previous approval of the Central Government.”;

(ii) in sub-section (2), for clause (c), the following clause shall be substituted, namely:—

“(c) prescribe the manner of appointment, powers, duties and functions of the Secretary and other officers and employees, their salaries, fees, allowances and other terms and conditions of service;”.

Amendment
of section 18.

17. In section 18 of the principal Act, for sub-section (5), the following sub-section shall be substituted, namely:—

“(5) The annual accounts of the Council shall be prepared in such manner as may be prescribed and subject to audit by a firm of chartered accountants to be appointed annually by the Council from the panel of auditors maintained by the Comptroller and Auditor-General of India:

Provided that a firm shall not be eligible for appointment as an auditor under this sub-section, if any of its partner is or has been a member of the Council during the last four years:

Provided further that in the event it is brought to the notice of the Council that the accounts of the Council do not represent a true and fair view of its finances, then, the Council may itself cause a special audit to be conducted:

Provided also that, if such information, that the accounts of the Council do not represent a true and fair view of its finances, is sent to the Council by the Central Government, then, the Council may, wherever appropriate cause a special audit or take such other action as it considers necessary and shall furnish an action taken report thereon to the Central Government.”.

Amendment
of section 19.

18. In section 19 of the principal Act,—

(i) for the word “Register”, wherever it occurs, the words “Register of members” shall be substituted;

(ii) for sub-section (1), the following sub-section shall be substituted, namely:—

“(1) The Council shall maintain a Register of members of the Institute in such manner as may be prescribed.”;

(iii) in sub-section (2), after clause (c), the following clause shall be inserted, namely:—

“(ca) whether any actionable information or complaint is pending or any penalty has been imposed against him under Chapter V, including details thereof, if any;”;

(iv) in sub-section (4),—

(a) the words “, which shall not exceed rupees five thousand” shall be omitted;

(b) the proviso shall be omitted.

19. In section 20 of the principal Act,—

(i) for the word “Register”, wherever it occurs, the words “Register of members” shall be substituted;

(ii) in sub-section (3),—

(a) the words “, which shall not exceed rupees two thousand” shall be omitted;

(b) the proviso shall be omitted.

Amendment
of section 20.

20. After Chapter IV of the principal Act, the following Chapter shall be inserted, namely:—

Insertion of
new Chapter
IVA.

“CHAPTER IVA

REGISTRATION AND REGISTER OF FIRMS

20A. Every firm shall be registered with the Institute on an application made to the Council, by any partner or owner of a firm, in such manner and subject to such terms and conditions as may be prescribed:

Registration
of firms.

Provided that the Council may refuse to register a firm, if the name of such firm is identical or similar to the name of any other firm already registered or the name is in use by any firm within or outside India or in the opinion of the Council, registration of the firm is undesirable.

20B. (1) The Council shall maintain, in such manner as may be prescribed, a Register of firms.

Register of
firms.

(2) The Register of firms shall include such particulars about the firm, including details of pendency of any actionable information or complaint or imposition of penalty against it under Chapter V, in such form and at such intervals, as may be prescribed.

(3) The Council shall cause to be published in such manner as may be prescribed, a list of firms registered with the Institute as on the 1st day of April of each year or at any such interval as may be decided by the Council, and shall make available the list to such persons, in such form and on payment of such amount as may be prescribed.

20C. The Council shall remove from the Register of firms the name of any firm—

Removal
from Register
of firms.

(a) which is dissolved or liquidated; or

(b) from which a request has been received to that effect; or

(c) is declared insolvent or bankrupt under the Insolvency and Bankruptcy Code, 2016 and remains undischarged; or

(d) which has been debarred from undertaking any activity or activities relating to the profession of a chartered accountant in practice under any law for the time being in force or by any competent court; or

(e) in respect of which an order for removal has been passed under this Act.

Review
before
Council.

20D. (1) Any firm aggrieved by the decision for refusal of registration may apply for review before the Council within one month from the date of such refusal.

(2) The Council may, after considering the review application, confirm or set aside the decision so taken or pass such orders as it may consider appropriate.”.

Substitution
of section 21.

21. For section 21 of the principal Act, the following section shall be substituted, namely:—

Disciplinary
Directorate.

“21.(1) The Council shall, by notification, establish a Disciplinary Directorate consisting of a Director (Discipline), at least two Joint Directors (Discipline) not below the rank of Deputy Secretary of the Institute and such other employees appointed under section 16, for making investigations either *suo motu*, or on receipt of an information or a complaint, in such form, along with such fees as may be specified.

(2) Within thirty days of receipt of an information or a complaint, the Director (Discipline) shall decide in such manner as may be specified, whether a complaint or information is actionable or is liable to be closed as non-actionable:

Provided that the Director (Discipline) may call for additional information from the complainant or the informant, as the case may be, by giving fifteen days time before deciding whether the case is actionable or non-actionable:

Provided further that the recommendations of the Director (Discipline) on non-actionable complaints or information shall be submitted to the Board of Discipline within sixty days of its receipt and the Board of Discipline may, after looking into its merits refer such complaint or information to the Director (Discipline) for conducting further investigation.

(3) While making investigation into a case which is found to be actionable, the Director (Discipline) shall give an opportunity to the member or the firm, as the case may be, to submit a written statement within twenty-one days which may further be extended by another twenty-one days, for reasons to be recorded in writing.

(4) Upon receipt of the written statement under sub-section (3), if any, the Director (Discipline) shall send a copy thereof to the complainant or the informant, as the case may be, and the complainant or the informant shall, within twenty-one days of the receipt of such written statement, submit his rejoinder.

(5) Upon receipt of the written statement under sub-section (3) and rejoinder under sub-section (4), the Director (Discipline) shall submit a preliminary examination report within thirty days, if a *prima facie* case is made out against a member or a firm, as the case may be.

(6) In case a *prima facie* case is made out for any professional or other misconduct mentioned in the First Schedule, the Director (Discipline) shall submit the preliminary examination report to the Board of Discipline and where *prima facie* case is made out for any professional or other misconduct mentioned in the Second Schedule or in both the First Schedule and the Second Schedule, he shall submit a preliminary examination report to the Disciplinary Committee:

Provided that a complaint or information filed by any authorised officer of the Central Government or a State Government or any statutory authority duly supported by an investigation report or relevant extract of the investigation report along with supporting evidence, shall be treated as preliminary examination report:

Provided further that where no *prima facie* case is made out against the member or the firm, the Director (Discipline) shall submit such information or complaint with relevant documents to the Board of Discipline and the Board of Discipline may, if it agrees with the findings of the Director (Discipline), close the matter or in case of disagreement, itself proceed further or refer the matter to the Disciplinary Committee or advise the Director (Discipline) to further investigate the matter.

(7) For the purpose of investigation under this Act, the Disciplinary Directorate shall follow such procedure as may be specified.

(8) A complaint filed with the Disciplinary Directorate shall not be withdrawn under any circumstances.

(9) The status of actionable information and complaints pending before the Disciplinary Directorate, Boards of Discipline and Disciplinary Committees and the orders passed by the Boards of Discipline under section 21A and by the Disciplinary Committees under section 21B shall be made available in the public domain by the Disciplinary Directorate in such manner as may be prescribed.”.

22. For section 21A of the principal Act, the following section shall be substituted, namely:—

Substitution
of section
21A.

“21A. (1) The Council shall, by notification, constitute one or more Boards of Discipline, each consisting of—

Board of
Discipline.

(a) a person, not being a member of the Institute, with experience in law and having knowledge of disciplinary matters and the profession, to be nominated by the Central Government as its Presiding Officer, from out of a panel of persons prepared and provided by the Council in such manner as may be prescribed;

(b) one member, who is a person of eminence having experience in the field of law, economics, business, finance or accountancy and not being a member of the Institute, to be nominated by the Central Government from out of a panel of persons prepared and provided by the Council in such manner as may be prescribed;

(c) one member to be nominated by the Council from out of a panel of members of the Institute to be prepared by the Council, in such manner as may be prescribed;

(d) an officer of the Institute not below the rank of a Deputy Secretary shall function as the Secretary of the Board of Discipline;

Provided that the Presiding Officer nominated under clause (a) and the member nominated under clause (b) may be the same for different Boards of Discipline constituted under this sub-section.

(2) The Board of Discipline shall, while considering the cases placed before it, follow such procedure including faceless proceedings and virtual hearings as may be specified.

(3) The Board of Discipline shall, on receipt of preliminary examination report from Director (Discipline), require the member or the firm, as the case may be, against whom such preliminary examination report has been filed, to submit a written statement within twenty-one days which may further be extended by another twenty-one days, in exceptional circumstances, for reasons to be recorded in writing.

(4) The Board of Discipline shall conclude its inquiry within ninety days of the receipt of preliminary examination report from the Director (Discipline).

(5) Upon inquiry, if the Board of Discipline finds that such member is guilty of a professional or other misconduct mentioned in the First Schedule, it may pass an order within thirty days of such finding, after providing an opportunity of being heard to the member, taking any one or more of the following actions, namely:—

(a) reprimand the member and record it in the Register of members;

(b) remove the name of the member or members from the Register of members up to a period of six months;

(c) impose such fine as it may think fit which may extend to two lakh rupees.

(6) Where on the basis of evidence brought on record or during the course of an inquiry pertaining to a member, the Board of Discipline is of the opinion that any such member who is a partner or owner of a firm, has been repeatedly found guilty of misconduct mentioned in the First Schedule during the last five years, the following action may also be taken against such firm, namely:—

(a) prohibit the firm from undertaking any activity or activities relating to the profession of a chartered accountant in practice for such period not exceeding one year; or

(b) impose such fine as it may think fit, which may extend to twenty-five lakh rupees.

(7) Where a member or a firm fails to pay the fine imposed under sub-section (5) or sub-section (6) within such time as may be specified, the Council shall remove the name of such member or firm from the Register of members or Register of firms, as the case may be, for such period as it may think fit.

(8) The Presiding Officer and members of the Board of Discipline shall be paid such allowances as may be prescribed.”.

Substitution
of section
21B.

23. For section 21B of the principal Act, the following section shall be substituted, namely:—

Disciplinary
Committee.

“21B. (1) The Council shall, by notification, constitute one or more Disciplinary Committees, each consisting of—

(a) a person, not being a member of the Institute, with experience in law and having knowledge of disciplinary matters and the profession, to be nominated by the Central Government as its Presiding Officer, from out of a panel of persons prepared and provided by the Council in such manner as may be prescribed;

(b) two members, who are persons of eminence having experience in the field of law, economics, business, finance or accountancy and not being a member of the Institute, to be nominated by the Central Government from out of a panel of persons prepared and provided by the Council in such manner as may be prescribed;

(c) two members to be nominated by the Council from out of a panel of members of the Institute to be prepared by the Council in such manner as may be prescribed:

Provided that the Presiding Officer nominated under clause (a) and the members nominated under clause (b) may be the same for different Disciplinary Committees constituted under this sub-section.

(2) The Disciplinary Committee shall, while considering the cases placed before it, follow such procedure including faceless proceedings and virtual hearings as may be specified.

(3) The Disciplinary Committee shall, on receipt of preliminary examination report from Director (Discipline), require the member or the firm, as the case may be, against whom such preliminary examination report has been filed, to submit a written statement within twenty-one days, which may further be extended by another twenty-one days in exceptional circumstances, for reasons to be recorded in writing.

(4) The Disciplinary Committee shall conclude its inquiry within one hundred and eighty days of receipt of the preliminary examination report from the Director (Discipline).

(5) Upon inquiry, if the Disciplinary Committee finds that a member is guilty of a professional or other misconduct mentioned in the Second Schedule or in both the First Schedule and the Second Schedule, it may pass an order within thirty days of such a finding, after providing an opportunity of being heard to the member, taking any one or more of the following actions, namely:—

- (a) reprimand the member and record it in the Register of members; or
- (b) remove the name of the member from the Register of members permanently or for such period, as it may think fit; or
- (c) impose such fine as it may think fit, which may extend to ten lakh rupees.

(6) Where on the basis of evidence brought on record or during the course of an inquiry pertaining to a member, the Disciplinary Committee is of the opinion that any such member, who is a partner or owner of a firm has been repeatedly found guilty of misconduct mentioned in the Second Schedule or in both the First Schedule and the Second Schedule, during the last five years, the following actions may also be taken against such firm, namely:—

- (a) prohibit the firm from undertaking any activity or activities relating to the profession of a chartered accountant in practice for such period not exceeding two years; or
- (b) suspend or cancel the registration of the firm and remove its name from the Register of firms permanently or for such period as it may think fit; or
- (c) impose such fine as it may think fit, which may extend to fifty lakh rupees.

(7) Where a member or a firm fails to pay the fine imposed under sub-section (5) or sub-section (6) within the specified time, the Council shall remove the name of such member or firm from the Register of members or Register of firms, as the case may be, for such period, as it may think fit.

(8) The Presiding Officer and members of the Disciplinary Committee shall be paid such allowances as may be prescribed.”.

24. In section 21C of the principal Act, the *Explanation* shall be omitted.

Amendment
of section
21C.

25. For section 21D of the principal Act, the following section shall be substituted, namely:—

Substitution
of section
21D.

“21D. All complaints or any inquiry pending before the Board of Discipline or the Disciplinary Committee or any reference or appeal filed before the Appellate Authority or before a High Court prior to the commencement of the Chartered Accountants, the Cost and Works Accountants and the Company Secretaries (Amendment) Act, 2022, shall continue to be governed by the provisions of this Act, as if this Act had not been amended by the Chartered Accountants, the Cost and Works Accountants and the Company Secretaries (Amendment) Act, 2022.”.

Transitional
provisions.

26. For section 22 of the principal Act, the following section shall be substituted, namely:—

Substitution
of section 22.

‘22. For the purposes of this Act, the expression “professional or other misconduct” shall be deemed to include any act or omission, on the part of any member of the Institute either in his individual capacity or as partner or owner of a firm, as mentioned in any of the Schedules, but nothing in this section shall be construed to limit or abridge in any way the power conferred or duty cast on the Director (Discipline) under sub-section (1) of section 21 to inquire into the conduct of such member or firm, under any other circumstances.’.

Professional
or other
misconduct
defined.

Amendment
of section
22G.

27. In section 22G of the principal Act,—

(i) in sub-section (1),—

(a) after the words “Any member of the Institute”, the words “or a firm” shall be inserted;

(b) for the words “imposing on him”, the words “imposing on such member or firm” shall be substituted;

(c) for the words, brackets, figures and letters “sub-section (3) of section 21A and sub-section (3) of section 21B, may”, the words, brackets, figures and letters “sub-section (5) or sub-section (6) of section 21A or sub-section (5) or sub-section (6) of section 21B, as the case may be, may” shall be substituted;

(d) for the words “communicated to him”, the words “communicated to such member or firm” shall be substituted;

(ii) in sub-section (2), for the words, brackets, figures and letters “sub-section (3) of section 21A and sub-section (3) of section 21B”, the words, brackets, figures and letters “sub-section (5) or sub-section (6) of section 21A or sub-section (5) or sub-section (6) of section 21B,” shall be substituted;

(iii) after sub-section (2), the following sub-section and *Explanations* shall be inserted, namely:—

‘(3) No order or act or proceeding of the Authority shall be called in question in any manner, on the ground merely of any defect in the constitution of, or a casual vacancy or absence of one or two members, of the Authority.

Explanation 1.—For the purposes of this Chapter,—

(A) “member of the Institute” includes a person who was a member of the Institute on the date of the alleged misconduct although he has ceased to be a member of the Institute at the time of the inquiry;

(B) a “firm” registered with the Institute shall also be held liable for misconduct of a member who was its partner or owner on the date of the alleged misconduct, although he has ceased to be such partner or owner, at the time of the inquiry.

Explanation 2.—No action taken under the provisions of this Chapter shall bar a Central Government Department or a State Government or any statutory authority or regulatory body to take action against a member or a firm registered with the Institute under any other law for the time being in force.’.

Amendment
of section 24.

28. In section 24 of the principal Act,—

(a) for the words “one thousand rupees”, the words “one lakh rupees” shall be substituted;

(b) for the words “five thousand rupees”, the words “five lakh rupees” shall be substituted.

Amendment
of section
24A.

29. In section 24A of the principal Act, in sub-section (2),—

(i) for the words “be punishable with fine which may extend on first conviction to one thousand rupees”, the words “be punishable with imprisonment which may extend to six months, or with fine which shall not be less than one lakh rupees but which may extend to five lakh rupees, or with both on first conviction” shall be substituted;

(ii) for the words “six months, or with fine which may extend to five thousand rupees”, the words “one year, or with fine which shall not be less than two lakh rupees but which may extend to ten lakh rupees” shall be substituted.

30. In section 25 of the principal Act, in sub-section (2),—

Amendment
of section 25.

(a) after the words “punishable with fine”, the words “which shall not be less than two lakh rupees but” shall be inserted;

(b) for the words “one thousand rupees”, the words “ten lakh rupees” shall be substituted;

(c) for the words “to five thousand rupees”, the words “with fine which shall not be less than four lakh rupees but which may extend to twenty lakh rupees” shall be substituted.

31. In section 26 of the principal Act, in sub-section (2),—

Amendment
of section 26.

(a) for the words “five thousand rupees”, the words “one lakh rupees” shall be substituted;

(b) for the words “one lakh rupees”, the words “five lakh rupees” shall be substituted;

(c) for the words “ten thousand rupees”, the words “two lakh rupees” shall be substituted;

(d) for the words “two lakh rupees”, the words “ten lakh rupees” shall be substituted.

32. In section 28B of the principal Act, after clause (c), the following clause shall be inserted, namely:—

Amendment
of section
28B.

“(d) to forward cases of non-compliance with various statutory and regulatory requirements by the members of the Institute or firms, noticed by it during the course of its reviews, to the Disciplinary Directorate for its examination.”.

33. In section 29 of the principal Act, in sub-section (2), for the word “Register”, the words “Register of members” shall be substituted.

Amendment
of section 29.

34. In section 29A of the principal Act, in sub-section (2),—

Amendment
of section
29A.

(i) for clauses (c) and (d), the following clauses shall be substituted, namely:—

“(c) the form and fee for filing an information or a complaint under sub-section (1), the manner of deciding a complaint or information as actionable or non-actionable under sub-section (2) and the procedure of investigation under sub-section (7), of section 21;

(d) the procedure while considering the cases by the Board of Discipline under sub-section (2) and time limit for payment of fine under sub-section (7), of section 21A;

(da) the procedure while considering the cases by the Disciplinary Committee under sub-section (2) and time limit for payment of fine under sub-section (7), of section 21B;”.

35. In section 30 of the principal Act, in sub-section (2),—

Amendment
of section 30.

(i) in clauses (b), (e) and (h), for the word “Register”, wherever it occurs, the words “Register of members” shall be substituted;

(ii) clause (g) and clause (i) shall be omitted;

(iii) for clause (r), the following clauses shall be substituted, namely:—

“(r) the qualification required for the purposes of sub-section (3) of section 5;

(ra) the circumstances under which certificates of practice may be cancelled under sub-section (3) of section 6;

(*rb*) the guidelines for granting or refusal of certificates of practice under clause (*f*) of sub-section (2) of section 15;

(*rc*) the manner of appointment, powers, duties, functions, salaries, fees, allowances and other terms and conditions of service of the Secretary and other officers and employees of the Council under clause (*c*) of sub-section (2) of section 16;

(*rd*) the manner of preparing annual financial statement under sub-section (4) and the annual accounts under sub-section (5), of section 18;

(*re*) the manner of maintaining a Register of members of the Institute under sub-section (1) and the manner in which the annual list of members registered with the Institute shall be published under sub-section (3), of section 19;

(*rf*) the manner of making an application for grant of registration of a firm and the terms and conditions of such registration under section 20A;

(*rg*) the manner of maintenance of Register of firms, and other particulars including details of pendency of any actionable information or complaint or imposition of penalty against the firm under sub-section (1) and sub-section (2) and the manner in which the annual list of firms registered with the Institute shall be published under sub-section (3), of section 20B;

(*rh*) the manner of making available status of actionable information and complaints and orders passed under sub-section (9) of section 21;

(*ri*) the manner of preparing panel of persons under clauses (*a*), (*b*) and (*c*) of sub-section (1) and the allowances payable to the Presiding Officers and members of the Boards of Discipline under sub-section (8), of section 21A;

(*rj*) the manner of preparing panel of persons under clauses (*a*), (*b*) and (*c*) of sub-section (1) and the allowances payable to the Presiding Officers and members of the Disciplinary Committees under sub-section (8), of section 21B;

(*rk*) the salaries and allowances and conditions of service of officers and other staff of Authority under sub-section (2) of section 22E;

(*rl*) the manner in which Regional Council may be constituted under sub-section (2) of section 23 and the functions thereof; and”.

Amendment
of First
Schedule.

36. In the First Schedule to the principal Act,—

(*i*) in the heading, for the figures, brackets and letter “21(3), 21A(3)”, the figures, brackets and letters “21(6), 21A(5) and (6), 21B(5) and (6)” shall be substituted;

(*ii*) in Part I, in item (9), after the words and figures “Companies Act, 1956”, the words and figures “or sections 139 to 141 of the Companies Act, 2013 or any other law pertaining to appointment of auditors for the time being in force” shall be inserted.

1 of 1956.
18 of 2013.

Amendment
of Second
Schedule.

37. In the Second Schedule to the principal Act,—

(*i*) in the heading, for the figures, brackets and letter “21(3), 21B(3)”, the figures, brackets and letter “21(6), 21B(5) and (6)” shall be substituted;

(*ii*) in Part I, in item (3), for the words “belief that he”, the words “belief that he or his firm” shall be substituted;

(*iii*) in Part II, after item (4), the following item shall be inserted, namely:—

“(5) acts as an auditor of the company in contravention of the provisions of the Companies Act, 2013.”.

18 of 2013.

CHAPTER III

AMENDMENTS TO THE COST AND WORKS ACCOUNTANTS ACT, 1959

Amendment
of long title.

38. In the Cost and Works Accountants Act, 1959 (hereafter in this Chapter referred to as the principal Act), in the long title, for the words “regulation of the profession of cost and works accountants”, the words “regulation and development of the profession of cost accountants” shall be substituted.

23 of 1959.

39. In section 1 of the principal Act, in sub-section (1), for the words “Cost and Works Accountants”, the words “Cost Accountants” shall be substituted. Amendment of section 1.

40. In section 2 of the principal Act, in sub-section (1),— Amendment of section 2.

(i) after clause (aaa), the following clauses shall be inserted, namely:—

‘(ab) “Board of Discipline” means the Board of Discipline constituted under sub-section (1) of section 21A;

(ac) “Companies Act” means the Companies Act, 2013 or any other previous company law as defined in sub-section (67) of section 2 of the said Act;’;

(ii) in clause (c), after the words “Council of the Institute”, the words “constituted under section 9” shall be inserted;

(iii) after clause (c), the following clauses shall be inserted, namely:—

‘(ca) “Director (Discipline)” means the Director (Discipline) referred to in section 21 and includes Joint Director (Discipline);

(cb) “Disciplinary Committee” means the Disciplinary Committee constituted under sub-section (1) of section 21B;

(cc) “Disciplinary Directorate” means the Disciplinary Directorate established under sub-section (1) of section 21;’;

(iv) in clause (d), the figures “1956” shall be omitted;

(v) for clause (e), the following clause shall be substituted, namely:—

‘(e) “fellow” means a fellow member of the Institute;’;

(vi) for clause (fa), the following clause shall be substituted, namely:—

‘(fa) “notification” means a notification published in the Official Gazette and the term “notify” shall be construed accordingly;’;

(vii) for clause (i), the following clause shall be substituted, namely:—

‘(i) “Register” means the Register of members of the Institute maintained under section 19 or Register of firms of the Institute maintained under section 20B, as the case may be;’;

(viii) after clause (iaa), the following clause shall be inserted, namely:—

‘(iaaa) “Standing Committee” means a Standing Committee constituted under sub-section (1) of section 17;’.

41. In Chapter II of the principal Act, in the heading, the words “AND WORKS” shall be omitted. Amendment of heading of Chapter II.

42. In section 4 of the principal Act,— Amendment of section 4.

(i) for the word “Register”, wherever it occurs, the words “Register of members” shall be substituted;

(ii) in sub-section (1), in clauses (iv) and (v), for the words “without India”, wherever they occur, the words “outside India” shall be substituted;

(iii) in sub-section (3),—

(a) the words “, which shall not exceed rupees three thousand” shall be omitted;

(b) the proviso shall be omitted.

Amendment
of section 5.

43. In section 5 of the principal Act,—

(i) for the word “Register”, wherever it occurs, the words “Register of members” shall be substituted;

(ii) in sub-section (4), the words “which shall not exceed rupees five thousand,” shall be omitted;

(iii) the proviso shall be omitted.

Amendment
of section 6.

44. In section 6 of the principal Act, in sub-section (2),—

(i) the words “which shall not exceed rupees three thousand” shall be omitted;

(ii) the first proviso shall be omitted;

(iii) in the second proviso, for the words “Provided further that”, the words “Provided that” shall be substituted.

Amendment
of section 8.

45. In section 8 of the principal Act,—

(i) for the word “Register”, wherever it occurs, the words “Register of members” shall be substituted;

(ii) in clause (iii), after the words “undischarged insolvent”, the words “or undischarged bankrupt” shall be inserted;

(iii) after clause (iii), the following clause shall be inserted, namely:—

“(iiiA) is declared bankrupt under the Insolvency and Bankruptcy Code, 2016;”;

(iv) in clause (v), for the words “without India”, the words “outside India” shall be substituted.

31 of 2016.

Amendment
of section 9.

46. In section 9 of the principal Act,—

(i) in sub-section (2),—

(a) for the word “Register”, occurring at both the places, the words “Register of members” shall be substituted;

(b) for the words “three years”, the words “four years” shall be substituted;

(c) for the words “six years”, the words “eight years” shall be substituted;

(ii) in sub-section (4),—

(a) for the word “person”, the words “member of the Institute or any partner of a firm” shall be substituted;

(b) for the words “three years”, the words “four years” shall be substituted.

Amendment
of section 12.

47. In section 12 of the principal Act,—

(i) in sub-section (1), the proviso shall be omitted;

(ii) after sub-section (2), the following sub-sections shall be inserted, namely:—

“(2A) The President shall preside at the meetings of the Council.

(2B) The President and the Vice-President shall exercise such powers and perform such duties and functions as may be prescribed.

(2C) It shall be the duty of the President to ensure that the decisions taken by the Council are implemented.

(2D) If, for any reason a vacancy occurs in the office of the President, or if the President is absent or for any other reason, is unable to exercise the powers or perform the duties assigned to him, the Vice-President shall act in his place and exercise the powers and perform the duties of the President.”.

48. In section 13 of the principal Act, in sub-section (2), for the word “Register”, the words “Register of members” shall be substituted.

Amendment
of section 13.

49. In section 15 of the principal Act, in sub-section (2),—

Amendment
of section 15.

(i) in clause (c), for the word “Register”, the words “Register of members” shall be substituted;

(ii) after clause (e), the following clause shall be inserted, namely:—

“(ea) the granting or refusal, of registration of a firm;”;

(iii) after clause (j), the following clauses shall be inserted, namely:—

“(ja) to issue guidelines for the purpose of carrying out the objects of this Act;

(jb) to conduct investor education and awareness programmes;

(jc) to enter into any memorandum or arrangement with the prior approval of the Central Government, with any agency of any foreign country, for the purpose of performing its functions under this Act;”;

(iv) in clause (k), for the words “, action taken thereon with a report to the Central Government within a period of three months, and their inclusion in the annual report”, the words “and the details of action taken thereon in its annual report” shall be substituted.

50. In section 15A of the principal Act,—

Amendment
of section
15A.

(i) after clause (c), the following clause shall be inserted, namely:—

“(ca) the maintenance and publication of a Register of firms;”;

(ii) in clause (e), for the words “Register and the restoration to the Register of names”, the words “Register of members and firms and the restoration of names to the Register of members and firms” shall be substituted.

51. In section 16 of the principal Act,—

Amendment
of section 16.

(i) for sub-section (I), the following sub-section shall be substituted, namely:—

“(I) For the efficient performance of its duties, the Council shall, appoint—

(a) a Secretary, who will carry out the administrative functions of the Institute as its Chief Executive Officer;

(b) a Director (Discipline) and Joint Directors (Discipline) not below the rank of Deputy Secretary of the Institute, to perform such functions as are assigned to them under this Act and the rules and regulations framed thereunder:

Provided that no appointment or re-appointment or termination of appointment of Director (Discipline) or Joint Director (Discipline) shall have effect unless such appointment, re-appointment or termination of appointment is made with the previous approval of the Central Government.”;

(ii) in sub-section (2), for clause (c), the following clause shall be substituted, namely:—

“(c) prescribe the manner of appointment, powers, duties and functions of the Secretary and other officers and employees, their salaries, fees, allowances and other terms and conditions of service;”.

Amendment
of section 18.

52. In section 18 of the principal Act, for sub-section (5), the following sub-section shall be substituted, namely:—

“(5) The annual accounts of the Council shall be prepared in such manner as may be prescribed and subject to audit by a firm of chartered accountants to be appointed annually by the Council from the panel of auditors maintained by the Comptroller and Auditor-General of India:

Provided that a firm shall not be eligible for appointment as an auditor under this sub-section, if any of its partner is or has been a member of the Council during the last four years:

Provided further that in the event it is brought to the notice of the Council that the accounts of the Council do not represent a true and fair view of its finances, then, the Council may itself cause a special audit to be conducted:

Provided also that, if such information, that the accounts of the Council do not represent a true and fair view of its finances, is sent to the Council by the Central Government, then, the Council may, wherever appropriate cause a special audit or take such other action as it considers necessary and shall furnish an action taken report thereon to the Central Government.”.

Amendment
of section 19.

53. In section 19 of the principal Act,—

(i) for the word “Register”, wherever it occurs, the words “Register of members” shall be substituted;

(ii) for sub-section (1), the following sub-section shall be substituted, namely:—

“(1) The Council shall maintain a Register of members of the Institute in such manner as may be prescribed.”;

(iii) in sub-section (2), after clause (c), the following clause shall be inserted, namely:—

“(ca) whether any actionable information or complaint is pending or any penalty has been imposed against him under Chapter V, including details thereof, if any;”;

(iv) in sub-section (4),—

(a) the words “, which shall not exceed rupees five thousand” shall be omitted;

(b) the proviso shall be omitted.

Amendment
of section 20.

54. In section 20 of the principal Act,—

(i) for the word “Register”, wherever it occurs, the words “Register of members” shall be substituted;

(ii) in sub-section (3),—

(a) the words “which shall not exceed rupees two thousand” shall be omitted;

(b) the proviso shall be omitted.

Insertion of
new Chapter
IVA.

55. After Chapter IV of the principal Act, the following Chapter shall be inserted, namely:—

“CHAPTER IVA

REGISTRATION AND REGISTER OF FIRMS

Registration of
firms.

20A. (1) Every firm shall be registered with the Institute on an application made to the Council, by any partner or owner of a firm, in such manner and subject to such terms and conditions as may be prescribed:

Provided that the Council may refuse to register a firm, if the name of such firm is identical or similar to the name of any other firm already registered or the name is in use

by any firm within or outside India or in the opinion of the Council, registration of the firm is undesirable.

20B. (1) The Council shall maintain, in such manner as may be prescribed, a Register of firms. Register of firms.

(2) The Register of firms shall include such particulars about the firm, including details of pendency of any actionable information or complaint or imposition of any penalty against it under Chapter V, in such form and at such intervals, as may be prescribed.

(3) The Council shall cause to be published in such manner as may be prescribed, a list of firms registered with the Institute as on the 1st day of April of each year or at any such interval as may be decided by the Council, and shall make available the list to such persons, in such form and on payment of such amount as may be prescribed.

20C. (1) The Council shall remove from the Register of firms the name of any firm— Removal from Register of firms.

(a) which is dissolved or liquidated; or

(b) from which a request has been received to that effect; or

(c) is declared insolvent or bankrupt under the Insolvency and Bankruptcy Code, 2016 and remains undischarged; or

(d) which has been debarred from undertaking any activity or activities relating to the profession of a cost accountant in practice under any law for the time being in force or by any competent court; or

(e) in respect of which an order for removal has been passed under this Act.

20D. (1) Any firm aggrieved by the decision for refusal of registration may apply for review before the Council within one month from the date of such refusal. Review before Council.

(2) The Council may, after considering the review application, confirm or set aside the decision so taken or pass such order as it may consider appropriate.”

56. For section 21 of the principal Act, the following section shall be substituted, namely:— Substitution of section 21.

“21. (1) The Council shall, by notification, establish a Disciplinary Directorate consisting of a Director (Discipline), at least two Joint Directors (Discipline) not below the rank of Deputy Secretary of the Institute and such other employees appointed under section 16, for making investigations either *suo motu*, or on receipt of an information or a complaint, in such manner, along with such fees as may be specified. Disciplinary Directorate.

(2) Within thirty days of receipt of an information or a complaint, the Director (Discipline) shall decide in such manner as may be specified, whether a complaint or information is actionable or is liable to be closed as non-actionable:

Provided that the Director (Discipline) may call for additional information from the complainant or the informant, as the case may be, by giving fifteen days time before deciding whether the case is actionable or non-actionable:

Provided further that the recommendations of the Director (Discipline) on non-actionable complaint or information shall be submitted to the Board of Discipline within sixty days of its receipt, and the Board of Discipline may, after looking into its merits refer such complaint or information to the Director (Discipline) for conducting further investigation.

(3) While making investigation into a case which is found to be actionable, the Director (Discipline) shall give an opportunity to the member or the firm, as the case may be, to submit a written statement within twenty-one days which may further be extended by another twenty-one days, for reasons to be recorded in writing.

(4) Upon receipt of the written statement under sub-section (3), if any, the Director (Discipline) shall send a copy thereof to the complainant or the informant, as the case may be, and the complainant or the informant shall, within twenty-one days of the receipt of such written statement, submit his rejoinder.

(5) Upon receipt of the written statement under sub-section (3) and rejoinder under sub-section (4), the Director (Discipline) shall submit a preliminary examination report within thirty days, if a *prima facie* case is made out against a member or a firm, as the case may be.

(6) In case a *prima facie* case is made out for any professional or other misconduct mentioned in the First Schedule, the Director (Discipline) shall submit the preliminary examination report to the Board of Discipline and where *prima facie* case is made out for any professional or other misconduct mentioned in the Second Schedule or in both the First Schedule and the Second Schedule, he shall submit a preliminary examination report to the Disciplinary Committee:

Provided that a complaint or information filed by any authorised officer of the Central Government or a State Government or any statutory authority duly supported by an investigation report or relevant extract of the investigation report along with supporting evidence, shall be treated as preliminary examination report:

Provided further that where no *prima facie* case is made out against the member or the firm, the Director (Discipline) shall submit such information or complaint with relevant documents to the Board of Discipline and the Board of Discipline may, if it agrees with the findings of the Director (Discipline), close the matter or in case of disagreement, itself proceed further or refer the matter to the Disciplinary Committee or advise the Director (Discipline) to further investigate the matter.

(7) For the purpose of investigation under this Act, the Disciplinary Directorate shall follow such procedure as may be specified.

(8) A complaint filed with the Disciplinary Directorate shall not be withdrawn under any circumstances.

(9) The status of actionable information and complaints pending before the Disciplinary Directorate, Boards of Discipline and Disciplinary Committees and the orders passed by the Boards of Discipline under section 21A and by the Disciplinary Committees under section 21B shall be made available in the public domain by the Disciplinary Directorate in such manner as may be prescribed.”.

Substitution of
section 21A.

57. For section 21A of the principal Act, the following section shall be substituted, namely:—

Board of
Discipline.

“21A. (1) The Council shall, by notification, constitute one or more Boards of Discipline, each consisting of—

(a) a person, not being a member of the Institute, with experience in law and having knowledge of disciplinary matters and the profession, to be nominated by the Central Government as its Presiding Officer, from out of a panel of persons prepared and provided by the Council in such manner as may be prescribed;

(b) one member, who is a person of eminence having experience in the field of law, economics, business, finance or accountancy and not being a member of the Institute, to be nominated by the Central Government from out of a panel of persons prepared and provided by the Council in such manner as may be prescribed;

(c) one member to be nominated by the Council from out of a panel of members of the Institute to be prepared by the Council, in such manner as may be prescribed;

(d) an officer of the Institute not below the rank of a Deputy Secretary shall function as the Secretary of the Board of Discipline:

Provided that the Presiding Officer nominated under clause (a) and the member nominated under clause (b) may be the same for different Boards of Discipline constituted under this sub-section.

(2) The Board of Discipline shall, while considering the cases placed before it, follow such procedure including faceless proceedings and virtual hearings as may be specified.

(3) The Board of Discipline shall, on receipt of preliminary examination report from Director (Discipline), require the member or the firm, as the case may be, against whom such preliminary examination report has been filed, to submit a written statement within twenty-one days which may further be extended by another twenty-one days, in exceptional circumstances, for reasons to be recorded in writing.

(4) The Board of Discipline shall conclude its inquiry within ninety days of the receipt of preliminary examination report from the Director (Discipline).

(5) Upon inquiry, if the Board of Discipline finds that such member is guilty of a professional or other misconduct mentioned in the First Schedule, it may pass an order within thirty days of such finding, after providing an opportunity of being heard to the member, taking any one or more of the following actions, namely:—

(a) reprimand the member and record it in the Register of members;

(b) remove the name of the member or members from the Register of members, up to a period of six months;

(c) impose such fine as it may think fit which may extend to two lakh rupees.

(6) Where on the basis of evidence brought on record or during the course of an inquiry pertaining to a member, the Board of Discipline is of the opinion that any such member who is a partner or owner of a firm, has been repeatedly found guilty of misconduct mentioned in the First Schedule during the last five years, the following action may also be taken against such firm, namely:—

(a) prohibit the firm from undertaking any activity or activities relating to the profession of a cost accountant in practice for such period not exceeding one year; or

(b) impose such fine as it may think fit, which may extend to twenty-five lakh rupees.

(7) Where a member or a firm fails to pay the fine imposed under sub-section (5) or sub-section (6) within such time as may be specified, the Council shall remove the name of such member or firm from the Register of members or Register of firms, as the case may be, for such period as it may think fit.

(8) The Presiding Officer and members of the Board of Discipline shall be paid such allowances, as may be prescribed.”.

Substitution
of section
21B.

Disciplinary
Committee.

58. For section 21B of the principal Act, the following section shall be substituted, namely:—

“21B. (1) The Council shall, by notification, constitute one or more Disciplinary Committees, each consisting of—

(a) a person, not being a member of the Institute, with experience in the field of law, and having knowledge of disciplinary matters and the profession, to be nominated by the Central Government as its Presiding Officer, from out of a panel of persons prepared and provided by the Council in such manner as may be prescribed;

(b) two members, who are persons of eminence having experience in the field of law, economics, business, finance or accountancy and not being a member of the Institute, to be nominated by the Central Government from out of a panel of persons prepared and provided by the Council in such manner as may be prescribed;

(c) two members to be nominated by the Council from out of a panel of members of the Institute to be prepared by the Council in such manner as may be prescribed:

Provided that the Presiding Officer nominated under clause (a) and the members nominated under clause (b) may be the same for different Disciplinary Committees constituted under this sub-section.

(2) The Disciplinary Committee shall, while considering the cases placed before it, follow such procedure including faceless proceedings and virtual hearings as may be specified.

(3) The Disciplinary Committee shall, on receipt of preliminary examination report from Director (Discipline), require the member or the firm, as the case may be, against whom such preliminary examination report has been filed, to submit a written statement within twenty-one days, which may further be extended by another twenty-one days in exceptional circumstances, for reasons to be recorded in writing.

(4) The Disciplinary Committee shall conclude its inquiry within one hundred and eighty days of the receipt of the preliminary examination report from the Director (Discipline).

(5) Upon inquiry, if the Disciplinary Committee finds that a member is guilty of a professional or other misconduct mentioned in the Second Schedule or in both the First Schedule and the Second Schedule, it may pass an order within thirty days of such a finding, after providing an opportunity of being heard to the member, taking any one or more of the following actions, namely:—

(a) reprimand the member and record it in the Register of members; or

(b) remove the name of the member from the Register of members permanently or for such period, as it may think fit; or

(c) impose such fine as it may think fit, which may extend to ten lakh rupees.

(6) Where on the basis of evidence brought on record or during the course of an inquiry pertaining to a member, the Disciplinary Committee is of the opinion that any such member, who is a partner or owner of a firm has been repeatedly found guilty of misconduct mentioned in the Second Schedule or in both the First Schedule and the Second Schedule, during the last five years, the following action may also be taken against such firm, namely:—

(a) prohibit the firm from undertaking any activity or activities relating to the profession of a cost accountant in practice for such period not exceeding two years; or

(b) suspend or cancel the registration of the firm and remove its name from the Register of firms permanently or for such period as it may think fit; or

(c) impose such fine as it may think fit, which may extend to fifty lakh rupees.

(7) Where a member or a firm fails to pay the fine imposed under sub-section (5) or sub-section (6) within the specified time, the Council shall remove the name of such member or firm from the Register of members or Register of firms, as the case may be, for such period, as it may think fit.

(8) The Presiding Officer and members of the Disciplinary Committee shall be paid such allowances as may be prescribed.”.

59. In section 21C of the principal Act, the *Explanation* shall be omitted.

Amendment
of section
21C.

60. For section 21D of the principal Act, the following section shall be substituted, namely:—

Substitution of
section 21D.

“21D. All complaints or any inquiry pending before the Board of Discipline or the Disciplinary Committee or any reference or appeal filed before the Appellate Authority or a High Court prior to the commencement of the Chartered Accountants, the Cost and Works Accountants and the Company Secretaries (Amendment) Act, 2022, shall continue to be governed by the provisions of this Act, as if this Act had not been amended by the Chartered Accountants, the Cost and Works Accountants and the Company Secretaries (Amendment) Act, 2022.”.

Transitional
provisions.

61. For section 22 of the principal Act, the following section shall be substituted, namely:—

Substitution of
section 22.

‘22. For the purposes of this Act, the expression “professional or other misconduct” shall be deemed to include any act or omission, on the part of any member of the Institute either in his individual capacity or as partner or owner of a firm as mentioned in any of the Schedules, but nothing in this section shall be construed to limit or abridge in any way the power conferred or duty cast on the Director (Discipline) under sub-section (1) of section 21 to inquire into the conduct of such member or firm, under any other circumstances.’.

Professional
or other
misconduct
defined.

62. In section 22E of the principal Act,—

Amendment
of section
22E.

(i) in sub-section (1),—

(a) after the words “Any member of the Institute”, the words “or a firm” shall be inserted;

(b) for the words “imposing on him”, the words “imposing on such member or firm” shall be substituted;

(c) for the words, brackets, figures and letters “sub-section (3) of section 21A and sub-section (3) of section 21B, may”, the words, brackets, figures and letters “sub-section (5) or sub-section (6) of section 21A or sub-section (5) or sub-section (6) of section 21B, as the case may be, may” shall be substituted;

(d) for the words “communicated to him”, the words “communicated to such member or firm” shall be substituted;

(ii) in sub-section (2), for the words, brackets, figures and letters “sub-section (3) of section 21A and sub-section (3) of section 21B”, the words, brackets, figures and

letters “sub-section (5) or sub-section (6) of section 21A or sub-section (5) or sub-section (6) of section 21B, as the case may be,” shall be substituted;

(iii) after sub-section (2), the following sub-section and *Explanations* shall be inserted, namely:—

‘(3) No order or act or proceeding of the Authority shall be called in question in any manner, on the ground merely of any defect in the constitution of, or a casual vacancy or absence of one or two members, of the Authority.

Explanation 1.—For the purposes of this Chapter,—

(A) “member of the Institute” includes a person who was a member of the Institute on the date of the alleged misconduct although he has ceased to be a member of the Institute at the time of the inquiry;

(B) a “firm” registered with the Institute shall also be held liable for misconduct of a member who was its partner or owner on the date of the alleged misconduct, although he has ceased to be such partner or owner, at the time of the inquiry.

Explanation 2.—No action taken under the provisions of this Chapter shall bar a Central Government Department or a State Government or any statutory authority or regulatory body to take action against a member or a firm registered with the Institute under any other law for the time being in force.’.

Amendment
of section 24.

63. In section 24 of the principal Act,—

(a) for the words “one thousand rupees”, the words “one lakh rupees” shall be substituted;

(b) for the words “five thousand rupees”, the words “five lakh rupees” shall be substituted.

Amendment
of section 25.

64. In section 25 of the principal Act, in sub-section (2),—

(i) for the words “be punishable on first conviction with fine which may extend to one thousand rupees”, the words “be punishable with imprisonment which may extend to six months or with fine which shall not be less than one lakh rupees but which may extend to five lakh rupees or with both on first conviction” shall be substituted;

(ii) for the words “six months, or with fine which may extend to five thousand rupees”, the words “one year, or with fine which shall not be less than two lakh rupees but which may extend to ten lakh rupees” shall be substituted.

Amendment
of section 26.

65. In section 26 of the principal Act, for sub-section (2), the following sub-section shall be substituted, namely:—

“(2) If any company contravenes the provisions of sub-section (1), then every director, manager, Secretary and any other officer who is knowingly a party to such contravention shall be punished on first conviction with fine which shall not be less than two lakh rupees but which may extend to ten lakh rupees, and on any subsequent conviction, with fine which shall not be less than four lakh rupees but which may extend to twenty lakh rupees.”.

Amendment
of section 27.

66. In section 27 of the principal Act, in sub-section (2),—

(a) for the words “five thousand rupees”, the words “one lakh rupees” shall be substituted;

(b) for the words “one lakh rupees”, the words “five lakh rupees” shall be substituted;

(c) for the words “ten thousand rupees”, the words “two lakh rupees” shall be substituted;

(d) for the words “two lakh rupees”, the words “ten lakh rupees” shall be substituted.

67. In section 29B of the principal Act, after clause (c), the following clause shall be inserted, namely:—

Amendment
of section
29B.

“(d) to forward cases of non-compliance with various statutory and regulatory requirements by the members of the Institute or firms noticed by it during the course of its review, to the Disciplinary Directorate for its examination.”.

68. For section 34 of the principal Act, the following section shall be substituted, namely:—

Substitution of
section 34.

38 of 1949.

“34. The Coordination Committee constituted under section 9A of the Chartered Accountants Act, 1949, shall be deemed to be the Coordination Committee for the purposes of this Act.”.

Coordination
Committee.

69. In section 38 of the principal Act, in sub-section (2), for the word “Register”, the words “Register of members” shall be substituted.

Amendment
of section 38.

70. In section 38A of the principal Act, in sub-section (2), for clauses (c) and (d), the following clauses shall be substituted, namely:—

Amendment
of section
38A.

“(c) the form and fee for filing an information or a complaint under sub-section (1), the manner of deciding a complaint or information as actionable or non-actionable under sub-section (2) and the procedure of investigation under sub-section (7), of section 21;

(d) the procedure while considering the cases by the Board of Discipline under sub-section (2) and time limit for payment of fine under sub-section (7), of section 21A;

(da) the procedure while considering the cases by the Disciplinary Committee under sub-section (2) and time limit for payment of fine under sub-section (7), of section 21B;”.

71. In section 39 of the principal Act, in sub-section (2),—

Amendment
of section 39.

(i) in clauses (b), (f) and (i), for the word “Register”, the words “Register of members” shall be substituted;

(ii) clause (h) and clause (j) shall be omitted;

(iii) in clause (p), for the words “members of”, the words “members and firms registered with” shall be substituted;

(iv) for clause (s), the following clauses shall be substituted, namely:—

“(s) the circumstances under which certificates of practice may be cancelled under sub-section (3) of section 6;

(sa) the guidelines for granting or refusal of certificates of practice under clause (e) of sub-section (2) of section 15;

(sb) the manner of appointment, powers, duties, functions, salaries, fees, allowances and other terms and conditions of service of the Secretary and other officers and employees of the Council under clause (c) of sub-section (2) of section 16;

(sc) the manner of preparing annual financial statement under sub-section (4) and the annual accounts under sub-section (5), of section 18;

(sd) the manner of maintaining a Register of the members of the Institute under sub-section (1) of section 19;

(se) the manner of making an application for grant of registration of a firm and the terms and conditions of such registration under section 20A;

(sf) the manner of maintenance of Register of firms and other particulars including details of pendency of any actionable information or complaint or imposition of any penalty against the firm under sub-section (1) and sub-section (2) and the manner in which the annual list of firms registered with the Institute shall be published under sub-section (3), of section 20B;

(sg) the manner of making available status of actionable information and complaints and orders passed under sub-section (9) of section 21;

(sh) the manner of preparing panel of persons under clauses (a), (b) and (c) of sub-section (1) and the allowances payable to the Presiding Officers and members of Boards of Discipline under sub-section (8), of section 21A;

(si) the manner of preparing panel of persons under clauses (a), (b) and (c) of sub-section (1) and the allowances payable to the Presiding Officers and members of the Disciplinary Committees under sub-section (8), of section 21B;

(sj) the salaries and allowances and conditions of service of officers and other staff of the Authority under sub-section (2) of section 22D;

(sk) the manner in which Regional Council may be constituted under sub-section (2) of section 23 and the functions thereof;”.

Amendment
of First
Schedule.

72. In the First Schedule to the principal Act, in the heading, for the figures, brackets and letter “21(3), 21A(3)”, the figures, brackets, letters and words “21(6), 21A (5) and (6), 21B (5) and (6)” shall be substituted.

Amendment
of Second
Schedule.

73. In the Second Schedule to the principal Act,—

(i) in the heading, for the figures, brackets and letter “21(3), 21B (3)”, the figures, brackets, letter and word “21(6), 21B(5) and (6)” shall be substituted;

(ii) in Part 1, in item (3), for the words “belief that he”, the words “belief that he or his firm” shall be substituted.

CHAPTER IV

AMENDMENTS TO THE COMPANY SECRETARIES ACT, 1980

Amendment
of section 2.

74. In the Company Secretaries Act, 1980 (hereafter in this Chapter referred to as the principal Act), in section 2,—

(a) in sub-section (1),—

(i) after clause (aaa), the following clause shall be inserted, namely:—

‘(ab) “Board of Discipline” means the Board of Discipline constituted under sub-section (1) of section 21A;’;

(ii) in clause (b), for the words and figures “Companies Act, 1956”, the words, figures and brackets “the Companies Act, 2013 or any other previous company law as defined in sub-section (67) of section 2 of the said Act” shall be substituted;

(iii) after clause (d), the following clauses shall be inserted, namely:—

‘(da) “Director (Discipline)” means the Director (Discipline) referred to in section 21 and includes Joint Director (Discipline);

(db) “Disciplinary Committee” means the Disciplinary Committee constituted under sub-section (1) of section 21B;

(dc) “Disciplinary Directorate” means the Disciplinary Directorate established under sub-section (1) of section 21;’;

(iv) for clause (ga), the following clause shall be substituted, namely:—

‘(ga) “notification” means a notification published in the Official Gazette and the term “notify” shall be construed accordingly;’;

(v) for clause (j), the following clause shall be substituted, namely:—

‘(j) “Register” means the Register of members of the Institute maintained under section 19 or the Register of firms of the Institute maintained under section 20B, as the case may be;’;

(vi) after clause (ja), the following clause shall be inserted, namely:—

‘(jaa) “Standing Committee” means the Standing Committee constituted under sub-section (1) of section 17;’;

(b) in sub-section (2), in clause (c), in sub-clause (vi),—

(A) the words, brackets and figures “the Capital Issues (Control) Act, 1947” shall be omitted;

56 of 1980.

1 of 1956.

18 of 2013.

29 of 1947.

54 of 1969.
46 of 1973.
15 of 1992.
42 of 1999.
12 of 2003.

(B) for the words and figures “the Monopolies and Restrictive Trade Practices Act, 1969, the Foreign Exchange Regulation Act, 1973”, the words and figures “the Securities and Exchange Board of India Act, 1992, the Foreign Exchange Management Act, 1999, the Competition Act, 2002” shall be substituted.

75. In section 4 of the principal Act,—

Amendment
of section 4.

(i) for the word “Register”, wherever it occurs, the words “Register of members” shall be substituted;

(ii) in sub-section (1), in clause (e), for the words “without India”, the words “outside India” shall be substituted;

(iii) in sub-section (3),—

(a) the words “, which shall not exceed rupees three thousand” shall be omitted;

(b) the proviso shall be omitted.

76. In section 5 of the principal Act,—

Amendment
of section 5.

(i) for the word “Register”, wherever it occurs, the words “Register of members” shall be substituted;

(ii) in sub-section (3), the words “which shall not exceed rupees five thousand,” shall be omitted;

(iii) the proviso shall be omitted.

77. In section 6 of the principal Act, in sub-section (2),—

Amendment
of section 6.

(i) the words “which shall not exceed rupees three thousand,” shall be omitted;

(ii) the proviso shall be omitted.

78. In section 8 of the principal Act,—

Amendment
of section 8.

(i) for the word “Register”, wherever it occurs, the words “Register of members” shall be substituted;

(ii) in clause (c), after the words “undischarged insolvent”, the words “or undischarged bankrupt” shall be inserted;

(iii) after clause (c), the following clause shall be inserted, namely:—

“(ca) is declared bankrupt under the Insolvency and Bankruptcy Code, 2016;”;

31 of 2016.

(iv) in clause (e), for the words “without India”, the words “outside India” shall be substituted.

79. In section 9 of the principal Act,—

Amendment
of section 9.

(i) in sub-section (2),—

(a) for the word “Register”, occurring at both the places, the words “Register of members” shall be substituted;

(b) for the words “three years”, the words “four years” shall be substituted;

(c) for the words “six years”, the words “eight years” shall be substituted;

(ii) in sub-section (4),—

(a) for the word “person”, the words “member of the Institute or any partner of a firm” shall be substituted;

(b) for the words “three years”, the words “four years” shall be substituted.

Amendment
of section 12.

80. In section 12 of the principal Act,—

(i) in sub-section (1), the proviso shall be omitted;

(ii) after sub-section (2), the following sub-sections shall be inserted, namely:—

“(2A) The President shall preside at the meetings of the Council.

(2B) The President and the Vice-President shall exercise such powers and perform such duties and functions as may be prescribed.

(2C) It shall be the duty of the President to ensure that the decisions taken by the Council are implemented.”.

Amendment
of section 13.

81. In section 13 of the principal Act, in sub-section (2), for the word “Register”, the words “Register of members” shall be substituted.

Amendment
of section 15.

82. In section 15 of the principal Act, in sub-section (2),—

(i) in clause (c), for the word “Register”, the words “Register of members” shall be substituted;

(ii) after clause (e), the following clause shall be inserted, namely:—

“(ea) the granting or refusal, of registration of a firm;”;

(iii) after clause (j), the following clauses shall be inserted, namely:—

“(ja) to issue guidelines for the purpose of carrying out the objects of this Act;

(jb) to conduct investor education and awareness programmes;

(jc) to enter into any memorandum or arrangement with the prior approval of the Central Government, with any agency of any foreign country, for the purpose of performing its functions under this Act;”.

Amendment
of section
15A.

83. In section 15A of the principal Act,—

(i) after clause (c), the following clause shall be inserted, namely:—

“(ca) the maintenance and publication of a Register of firms;”;

(ii) in clause (e), for the words “Register and the restoration to the Register of names”, the words “Register of members and firms and the restoration of names to the Register of members and firms” shall be substituted.

Amendment
of section 16.

84. In section 16 of the principal Act,—

(i) for sub-section (1), the following sub-section shall be substituted, namely:—

“(1) For the efficient performance of its duties, the Council shall appoint—

(a) a Secretary who will carry out administrative functions of the Institute, as its Chief Executive Officer;

(b) a Director (Discipline) and Joint Directors (Discipline) not below the rank of Deputy Secretary of the Institute, to perform such functions as are assigned to them under this Act and the rules and regulations framed thereunder:

Provided that no appointment or re-appointment or termination of appointment of Director (Discipline) or Joint Director (Discipline) shall have effect unless such appointment, re-appointment or termination of appointment is made with the previous approval of the Central Government.”;

(ii) in sub-section (2), for clause (c), the following clause shall be substituted, namely:—

“(c) prescribe the manner of appointment, powers, duties and functions of the Secretary and other officers and employees, their salaries, fees, allowances and other terms and conditions of service;”.

85. In section 18 of the principal Act, for sub-section (5), the following sub-section shall be substituted, namely:— Amendment of section 18.

“(5) The annual accounts of the Council shall be prepared in such manner as may be prescribed and subject to audit by a firm of chartered accountants to be appointed annually by the Council from the panel of auditors maintained by the Comptroller and Auditor-General of India:

Provided that a firm shall not be eligible for appointment as an auditor under this sub-section, if any of its partner is or has been a member of the Council during the last four years:

Provided further that, in the event it is brought to the notice of the Council that the accounts of the Council do not represent a true and fair view of its finances, then, the Council may itself cause a special audit to be conducted:

Provided also that, if such information, that the accounts of the Council do not represent a true and fair view of its finances, is sent to the Council by the Central Government, then, the Council may, wherever appropriate cause a special audit or take such other action as it considers necessary and shall furnish an action taken report thereon to the Central Government.”.

86. In section 19 of the principal Act,—

Amendment of section 19.

(i) for the word “Register”, wherever it occurs, the words “Register of members” shall be substituted;

(ii) for sub-section (1), the following sub-section shall be substituted, namely:—

“(1) The Council shall maintain a Register of members of the Institute in such manner as may be prescribed.”;

(iii) in sub-section (2), after clause (c), the following clause shall be inserted, namely:—

“(ca) whether any actionable information or complaint is pending or any penalty has been imposed against him under Chapter V, including details thereof, if any;”;

(iv) in sub-section (4),—

(a) the words “, which shall not exceed rupees five thousand” shall be omitted;

(b) the proviso shall be omitted.

87. In section 20 of the principal Act,—

Amendment of section 20.

(i) for the word “Register”, wherever it occurs, the words “Register of members” shall be substituted;

(ii) in sub-section (3),—

(a) the words “, which shall not exceed rupees two thousand” shall be omitted;

(b) the proviso shall be omitted.

Insertion of
new Chapter
IVA.

88. After Chapter IV of the principal Act, the following Chapter shall be inserted, namely:—

“CHAPTER IVA

REGISTRATION AND REGISTER OF FIRMS

Registration
of firms.

20A. Every firm shall be registered with the Institute on an application made to the Council, by any partner or owner of a firm, in such manner and subject to such terms and conditions as may be prescribed:

Provided that the Council may refuse to register a firm if the name of such firm is identical or similar to the name of any other firm already registered or the name is in use by any firm within or outside India or in the opinion of the Council, registration of the firm is undesirable.

Register of
firms.

20B. (1) The Council shall maintain, in such manner as may be prescribed, a Register of firms.

(2) The Register of firms shall include such particulars about the firm, including details of pendency of any actionable information or complaint or imposition of any penalty against it under Chapter V, in such form and at such intervals, as may be prescribed.

(3) The Council shall cause to be published in such manner as may be prescribed, a list of firms registered with the Institute as on the 1st day of April of each year or at any such interval as may be decided by the Council, and shall make available the list to such persons, in such form and on payment of such amount as may be prescribed.

Removal
from Register
of firms.

20C. The Council shall remove from the Register of firms the name of any firm—

(a) which is dissolved or liquidated; or

(b) from which a request has been received to that effect; or

(c) is declared insolvent or bankrupt under the Insolvency and Bankruptcy Code, 2016 and remains undischarged; or

(d) which has been debarred from undertaking any activity or activities relating to the profession of a company secretary in practice under any law for the time being in force or by any competent court; or

(e) in respect of which an order for removal has been passed under this Act.

Review before
Council.

20D. (1) Any firm aggrieved by the decision for refusal of registration may apply for review before the Council within one month from the date of such refusal.

(2) The Council may, after considering the review application, confirm or set aside the decision so taken or pass such order as it may consider appropriate.”.

Substitution of
section 21.

89. For section 21 of the principal Act, the following section shall be substituted, namely:—

Disciplinary
Directorate.

“21. (1) The Council shall, by notification, establish a Disciplinary Directorate

consisting of a Director (Discipline), at least two Joint Directors (Discipline) not below the rank of Deputy Secretary of the Institute and such other employees appointed under section 16, for making investigations either *suo motu*, or on receipt of an information or a complaint in such form, along with such fees as may be specified.

(2) Within thirty days of receipt of an information or a complaint, the Director (Discipline) shall decide in such manner as may be specified, whether a complaint or information is actionable or is liable to be closed as non-actionable:

Provided that the Director (Discipline) may call for additional information from the complainant or the informant, as the case may be, by giving fifteen days time before deciding whether the case is actionable or non-actionable:

Provided further that the recommendations of the Director (Discipline) on non-actionable complaint or information shall be submitted to the Board of Discipline within sixty days of its receipt and the Board of Discipline may, after looking into its merits, refer such complaint or information to the Director (Discipline) for conducting further investigation.

(3) While making investigation into a case which is found to be actionable, the Director (Discipline) shall give an opportunity to the member or the firm, as the case may be, to submit a written statement within twenty-one days which may further be extended by another twenty-one days, for reasons to be recorded in writing.

(4) Upon receipt of the written statement under sub-section (3), if any, the Director (Discipline) shall send a copy thereof to the complainant or the informant, as the case may be, and the complainant or the informant, shall within twenty-one days of the receipt of such written statement, submit his rejoinder.

(5) Upon receipt of the written statement under sub-section (3) and rejoinder under sub-section (4), the Director (Discipline) shall submit a preliminary examination report within thirty days, if a *prima facie* case is made out against a member or a firm, as the case may be.

(6) In case a *prima facie* case is made out for any professional or other misconduct mentioned in the First Schedule, the Director (Discipline) shall submit the preliminary examination report to the Board of Discipline and where *prima facie* case is made out for any professional or other misconduct mentioned in the Second Schedule or in both the First Schedule and the Second Schedule, he shall submit a preliminary examination report to the Disciplinary Committee:

Provided that a complaint or information filed by any authorised officer of the Central Government or a State Government or any statutory authority duly supported by an investigation report or relevant extract of the investigation report along with supporting evidence, shall be treated as preliminary examination report:

Provided further that where no *prima facie* case is made out against the member or the firm, the Director (Discipline) shall submit such information or complaint with relevant documents to the Board of Discipline and the Board of Discipline may, if it agrees with the findings of the Director (Discipline), close the matter or in case of disagreement, may itself proceed further or refer the matter to the Disciplinary Committee or advise the Director (Discipline) to further investigate the matter.

(7) For the purpose of investigation under this Act, the Disciplinary Directorate shall follow such procedure as may be specified.

(8) A complaint filed with the Disciplinary Directorate shall not be withdrawn under any circumstances.

(9) The status of actionable information and complaints pending before the Disciplinary Directorate, Boards of Discipline and Disciplinary Committees and the orders passed by the Boards of Discipline under section 21A and by the Disciplinary Committees under section 21B shall be made available in the public domain by the Disciplinary Directorate in such manner as may be prescribed.”.

Substitution of
section 21A.

90. For section 21A of the principal Act, the following section shall be substituted, namely:—

Board of
Discipline.

“21A. (1) The Council shall, by notification, constitute one or more Boards of Discipline, each consisting of—

(a) a person not being a member of the Institute, with experience in law and having knowledge of disciplinary matters and the profession, to be nominated by the Central Government as its Presiding Officer, from out of a panel of persons prepared and provided by the Council, in such manner as may be prescribed;

(b) one member, who is a person of eminence having experience in the field of law, economics, business, finance or accountancy and not being a member of the Institute, to be nominated by the Central Government from out of a panel of persons prepared and provided by the Council, in such manner as may be prescribed;

(c) one member to be nominated by the Council from out of a panel of members of the Institute to be prepared by the Council, in such manner as may be prescribed;

(d) an officer of the Institute not below the rank of a Deputy Secretary shall function as the Secretary of the Board of Discipline:

Provided that the Presiding Officer nominated under clause (a) and the member nominated under clause (b) may be the same for different Boards of Discipline constituted under this sub-section.

(2) The Board of Discipline shall, while considering the cases placed before it, follow such procedure including faceless proceedings and virtual hearings as may be specified.

(3) The Board of Discipline shall, on receipt of preliminary examination report from Director (Discipline), require the member or the firm, as the case may be, against whom such preliminary examination report has been filed, to submit a written statement within twenty-one days which may further be extended by another twenty-one days, in exceptional circumstances, for reasons to be recorded in writing.

(4) The Board of Discipline shall conclude its inquiry within ninety days of the receipt of preliminary examination report from the Director (Discipline).

(5) Upon inquiry, if the Board of Discipline finds that such member is guilty of a professional or other misconduct mentioned in the First Schedule, it may pass an order within thirty days of such finding, after providing an opportunity of being heard to the member, taking any one or more of the following actions, namely:—

(a) reprimand the member and record it in the Register of members;

(b) remove the name of the member or members from the Register of members, up to a period of six months;

(c) impose such fine as it may think fit which may extend to two lakh rupees.

(6) where on the basis of evidence brought on record or during the course of an inquiry pertaining to a member, the Board of Discipline is of the opinion that any such

member who is a partner or owner of a firm, has been repeatedly found guilty of misconduct under the First Schedule during the last five years, the following action may also be taken against such firm, namely:—

(a) prohibit the firm from undertaking any activity or activities relating to the profession of a company secretary in practice for such period not exceeding one year; or

(b) impose such fine as it may think fit, which may extend to twenty-five lakh rupees.

(7) Where a member fails to pay the fine imposed under sub-section (5) or sub-section (6) within such time as may be specified, the Council shall remove the name of such member or firm from the Register of members or Register of firms, as the case may be, for such period as it may think fit.

(8) The Presiding Officer and members of the Board of Discipline shall be paid such allowances as may be prescribed.”.

91. For section 21B of the principal Act, the following section shall be substituted, namely:—

Substitution
of section
21B.

“21B. (1) The Council shall, by notification, constitute one or more Disciplinary Committees, each consisting of—

Disciplinary
Committee.

(a) a person, not being a member of the Institute, with experience in the field of law and having knowledge of disciplinary matters and the profession, to be nominated by the Central Government as its Presiding Officer, from out of a panel of persons prepared and provided by the Council in such manner as may be prescribed;

(b) two members, who are persons of eminence having experience in the field of law, economics, business, finance or accountancy and not being a member of the Institute, to be nominated by the Central Government from out of a panel of persons prepared and provided by the Council in such manner as may be prescribed;

(c) two members to be nominated by the Council from out of a panel of members of the Institute to be prepared by the Council in such manner as may be prescribed:

Provided that the Presiding Officer nominated under clause (a) and the members nominated under clause (b) may be the same for different Disciplinary Committees constituted under this sub-section.

(2) The Disciplinary Committees shall, while considering the cases placed before it, follow such procedure including faceless proceedings and virtual hearings as may be specified.

(3) The Disciplinary Committee shall, on receipt of preliminary examination report from Director (Discipline), require the member or the firm, as the case may be, against whom such preliminary examination report has been filed, to submit a written statement within twenty-one days which may further be extended by another twenty-one days, in exceptional circumstances, for reasons to be recorded in writing.

(4) The Disciplinary Committee shall conclude its inquiry within one hundred and eighty days of receipt of the preliminary examination report from the Director (Discipline).

(5) Upon inquiry, if the Disciplinary Committee finds that a member is guilty of a professional or other misconduct mentioned in the Second Schedule or in both the First Schedule and the Second Schedule, it may pass an order within thirty days of such a finding, after providing an opportunity of being heard to the member, taking any one or more of the following actions, namely:—

(a) reprimand the member and record it in the Register of members;
or

(b) remove the name of the member from the Register of members permanently or for such period, as it may think fit; or

(c) impose such fine as it may think fit, which may extend to ten lakh rupees.

(6) Where on the basis of evidence brought on record or during the course of an inquiry pertaining to a member, the Disciplinary Committee is of the opinion that any member, who is a partner or owner of a firm, has been repeatedly found guilty of misconduct mentioned in the Second Schedule or in both the First Schedule and the Second Schedule during the last five years, the following action may also be taken against such firm, namely:—

(a) prohibit the firm from undertaking any activity or activities relating to the profession of a Company Secretary in practice for such period not exceeding two years; or

(b) suspend or cancel the registration of the firm and remove its name from the Register of firms permanently or for such period as it may think fit; or

(c) impose such fine as it may think fit, which may extend to fifty lakh rupees.

(7) Where a member or a firm fails to pay the fine imposed under sub-section (5) or sub-section (6) within such time as may be specified, the Council shall remove the name of such member or firm from the Register of members or Register of firms, as the case may be, for such period, as it may think fit.

(8) The Presiding Officer and members of the Disciplinary Committee shall be paid such allowances as may be prescribed.”.

Amendment
of
section 21C.

Substitution
of section
21D.

Transitional
provisions.

92. In section 21C of the principal Act, the *Explanation* shall be omitted.

93. For section 21D of the principal Act, the following section shall be substituted, namely:—

“21D. All complaints or any inquiry pending before the Board of Discipline or the Disciplinary Committee or any reference or appeal filed before the Appellate Authority or a High Court prior to the commencement of the Chartered Accountants, the Cost and Works Accountants and the Company Secretaries (Amendment) Act, 2022, shall continue to be governed by the provisions of this Act, as if this Act had not been amended by the Chartered Accountants, the Cost and Works Accountants and the Company Secretaries (Amendment) Act, 2022.”.

94. For section 22 of the principal Act, the following section shall be substituted, namely:—

Substitution
of section 22.

‘22. For the purposes of this Act, the expression “professional or other misconduct” shall be deemed to include any act or omission, on the part of any member of the Institute either in his individual capacity or as partner or owner of a firm as mentioned in any of the Schedules, but nothing in this section shall be construed to limit or abridge in any way the power conferred or duty cast on the Director (Discipline) under sub-section (1) of section 21 to inquire into the conduct of such member or firm, under any other circumstances.’.

Professional
or other
misconduct
defined.

95. In section 22E of the principal Act,—

Amendment
of section
22E.

(i) in sub-section (1),—

(a) after the words “Any member of the Institute”, the words “or a firm” shall be inserted;

(b) for the words “imposing on him”, the words “imposing on such member or firm” shall be substituted;

(c) for the words, brackets, figures and letters “sub-section (3) of section 21A and sub-section (3) of section 21B, may”, the words, brackets, figures and letters “sub-section (5) or sub-section (6) of section 21A or sub-section (5) or sub-section (6) of section 21B, as the case may be, may” shall be substituted;

(d) for the words “communicated to him”, the words “communicated to such member or firm” shall be substituted;

(ii) in sub-section (2), for the words, brackets, figures and letters “sub-section (3) of section 21A and sub-section (3) of section 21B”, the words, brackets, figures and letters “sub-section (5) or sub-section (6) of section 21A or sub-section (5) or sub-section (6) of section 21B,” shall be substituted;

(iii) after sub-section (2), the following sub-section and *Explanations* shall be inserted, namely:—

‘(3) No order or act or proceeding of the Authority shall be called in question in any manner, on the ground merely of any defect in the constitution of, or a casual vacancy or absence of one or two members, of the Authority.

Explanation 1.—For the purposes of this Chapter,—

(A) “member of the Institute” includes a person who was a member of the Institute on the date of the alleged misconduct although he has ceased to be a member of the Institute at the time of the inquiry;

(B) a “firm” registered with the Institute shall also be held liable for misconduct of a member who was its partner or owner on the date of the alleged misconduct, although he has ceased to be such partner or owner, at the time of the inquiry.

Explanation 2.— No action taken under the provisions of this Chapter shall bar a Central Government Department or a State Government or any statutory authority or regulatory body to take action against a member or a firm registered with the Institute under any other law for the time being in force.’.

96. In section 24 of the principal Act,—

Amendment
of section 24.

(a) for the words “one thousand rupees”, the words “one lakh rupees” shall be substituted;

(b) for the words “five thousand rupees”, the words “five lakh rupees” shall be substituted.

97. In section 25 of the principal Act, in sub-section (2),—

Amendment
of section 25.

(i) for the words “be punishable on first conviction with fine which may extend

to one thousand rupees”, the words “be punishable with imprisonment which may extend to six months or with fine which shall not be less than one lakh rupees but which may extend to five lakh rupees or with both on first conviction” shall be substituted;

(ii) for the words “six months, or with fine which may extend to five thousand rupees”, the words “one year, or with fine which shall not be less than two lakh rupees but which may extend to ten lakh rupees” shall be substituted.

Amendment
of section 26.

98. In section 26 of the principal Act, for sub-section (2), the following sub-section shall be substituted, namely:—

“(2) If any company contravenes the provisions of sub-section (1), then every director, manager, Secretary and any other officer who is knowingly a party to such contravention shall be punished on first conviction with fine which shall not be less than two lakh rupees but which may extend to ten lakh rupees, and on any subsequent conviction with fine which shall not be less than four lakh rupees but which may extend to twenty lakh rupees.”.

Amendment
of section 27.

99. In section 27 of the principal Act, in sub-section (2),—

(a) for the words “five thousand rupees”, the words “one lakh rupees” shall be substituted;

(b) for the words “one lakh rupees”, the words “five lakh rupees” shall be substituted;

(c) for the words “ten thousand rupees”, the words “two lakh rupees” shall be substituted;

(d) for the words “two lakh rupees”, the words “ten lakh rupees” shall be substituted.

Amendment
of section
29B.

100. In section 29B of the principal Act, after clause (c), the following clause shall be inserted, namely:—

“(d) to forward cases of non-compliance with various statutory and regulatory requirements by the members of the Institute or firms, noticed by it during the course of its review, to the Disciplinary Directorate for its examination.”.

Substitution of
section 34.

101. For section 34 of the principal Act, the following section shall be substituted, namely:—

Coordination
Committee.

“34. The Coordination Committee constituted under section 9A of the Chartered Accountants Act, 1949, shall be deemed to be the Coordination Committee for the purposes of this Act.”.

38 of 1949.

Amendment
of section 38.

102. In section 38 of the principal Act, in sub-section (2), for the word “Register”, the words “Register of members” shall be substituted.

Amendment
of section
38A.

103. In section 38A of the principal Act, in sub-section (2), for clauses (c) and (d), the following clauses shall be substituted, namely:—

“(c) the form, manner and fee for filing an information or a complaint under sub-section (1), the manner of deciding a complaint or information as actionable or non-actionable under sub-section (2) and the procedure of investigation under sub-section (7), of section 21;

(d) the procedure while considering the cases by the Boards of Discipline under sub-section (2) and time limit for payment of fine under sub-section (7), of section 21A;

(da) the procedure while considering the cases by the Disciplinary Committees under sub-section (2) and time-limit for payment of fine under sub-section (7), of section 21B;”.

104. In section 39 of the principal Act, in sub-section (2),—

Amendment
of section 39.

(i) for the word “Register”, occurring at both the places, the words “Register of members” shall be substituted;

(ii) after clause (f), the following clauses shall be inserted, namely:—

“(fa) the circumstances under which certificates of practice may be cancelled under sub-section (3) of section 6;

(fb) the powers, duties and functions of the President and the Vice-President of the Council under sub-section (2B) of section 12;”;

(iii) after clause (h), the following clause shall be inserted, namely:—

“(ha) guidelines for granting or refusal of certificates of practice under clause (e) of sub-section (2) of section 15;”;

(iv) after clause (k), the following clause shall be inserted, namely:—

“(ka) the manner of appointment, powers, duties, functions, salaries, fees, allowances and other terms and conditions of service of the Secretary and other officers and employees of the Council under clause (c) of sub-section (2) of section 16;”;

(v) after clause (m), the following clause shall be inserted, namely:—

“(ma) the maintenance of accounts under sub-section (3), the manner of preparing annual financial statement under sub-section (4) and the manner of preparing the annual accounts of the Council under sub-section (5), of section 18;”;

(vi) for clause (p), the following clauses shall be substituted, namely:—

“(p) the manner of making an application for grant of registration of a firm and the terms and conditions of such registration under section 20A;

(pa) the manner of maintenance of Register of firms, and other particulars including details of pendency of any actionable information or complaint or imposition of any penalty against the firm under sub-section (1) and sub-section (2) and the manner in which the annual list of firms registered with the Institute shall be published under sub-section (3), of section 20B;

(pb) the manner of making available status of actionable information and complaints and orders passed under sub-section (9) of section 21;

(pc) the manner of preparing panel of persons under clauses (a), (b) and (c) of sub-section (1) and the allowances payable to the Presiding Officers and members of the Boards of Discipline under sub-section (8), of section 21A;

(pd) the manner of preparing panel of persons under clauses (a), (b) and (c) of sub-section (1) and the allowances payable to the Presiding Officers and members of the Disciplinary Committees under sub-section (8) of section 21B;

(pe) the salaries and allowances and conditions of service of officers and staff of the Authority under sub-section (2) of section 22D;”.

105. In the First Schedule to the principal Act, in the heading, for the figures, brackets and letter “21(3), 21A(3)”, the figures, brackets and letters “21(6), 21A(5) and (6), 21B (5) and (6)” shall be substituted.

Amendment
of First
Schedule.

Amendment
of Second
Schedule.

106. In the Second Schedule to the principal Act,—

(i) in the heading, for the figures, brackets and letter “21(3), 21B(3)”, the figures, brackets and letter “21(6), 21B (5) and (6)” shall be substituted;

(ii) in Part I, in item (3), for the words “belief that he”, the words “belief that he or his firm” shall be substituted.

DR. REETA VASISHTA,
Secretary to the Govt. of India.



भारत का राजपत्र The Gazette of India

सी.जी.-डी.एल.-अ.-25042022-235338
CG-DL-E-25042022-235338

असाधारण

EXTRAORDINARY

भाग II — खण्ड 1

PART II — Section 1

प्राधिकार से प्रकाशित

PUBLISHED BY AUTHORITY

सं० 13] नई दिल्ली, सोमवार, अप्रैल 25, 2022/वैशाख 5, 1944 (शक)
No. 13] NEW DELHI, MONDAY, APRIL 25, 2022/VAISAKHA 5, 1944 (SAKA)

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।
Separate paging is given to this Part in order that it may be filed as a separate compilation.

MINISTRY OF LAW AND JUSTICE (Legislative Department)

New Delhi, the 25th April, 2022/ Vaisakha 5, 1944 (Saka)

CORRIGENDA

THE CHARTERED ACCOUNTANTS, THE COST AND WORKS ACCOUNTANTS AND THE COMPANY SECRETARIES (AMENDMENT) ACT, 2022 No. 12 OF 2022

In the Chartered Accountants, the Cost and Works Accountants and the Company Secretaries (Amendment) Act, 2022 (12 of 2022), published in the Gazette of India, Extraordinary, Part II, Section 1, dated the 18th April, 2022, Issue No. 12,—

- (i) at page 2, line 14, *for* "sub-section", *read* "clause";
- (ii) at page 7, line 37, *for* "is declared", *read* "which is declared";
- (iii) at page 15, line 8, *for* "sub-section", *read* "clause";
- (iv) at page 18, line 44, *for* "20A.(1)", *read* "20A.";
- (v) at page 19, line 13, *for* "20C. (1)", *read* "20C.";
- (vi) at page 19, line 17, *for* "is declared", *read* "which is declared";
- (vii) at page 26, line 29, *for* "sub-section", *read* "clause";
- (viii) at page 30, line 30, *for* "is declared", *read* "which is declared".

DR. REETA VASISHTA,
Secretary to the Govt. of India.

UPLOADED BY THE MANAGER, GOVERNMENT OF INDIA PRESS, MINTO ROAD, NEW DELHI-110002
AND PUBLISHED BY THE CONTROLLER OF PUBLICATIONS, DELHI-110054.

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ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರ, ಬುಧವಾರ, ೧೧, ಮೇ, ೨೦೨೨

ಭಾಗ ೪

ಕರ್ನಾಟಕ ರಾಜ್ಯಪಾಲರ ಆದೇಶಾನುಸಾರ
ಮತ್ತು ಅವರ ಹೆಸರಿನಲ್ಲಿ

(ಆರ್. ಶ್ರೀನಿವಾಸ)
ಸಹಾಯಕ ಪ್ರಾರೋಪಕಾರ ಮತ್ತು ಪದನಿಮಿತ್ತ
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